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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who dwells between the cherubim, You alone are God of all the kingdoms of the Earth. You have given the Members of America's legislative branch the opportunity to be the instruments of Your providence. Use them today for Your glory. Give them discernment to know the critical issues and the wisdom to do Your will. May their lives be exemplary models of integrity and civility as they strive to keep this Nation strong. May their words bring life and hope, knowledge and understanding.

And Lord, we pause to thank You for the life and legacy of Rosa Parks, a great civil rights pioneer. We ask that You would comfort those who mourn her death. You are worthy, O Lord, to receive glory and honor and power, for You created all things, and by Your will they are sustained.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 25, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ISAKSON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we have allocated the first 30 minutes for a brief period of morning business. After that first half-hour period, we will return to the consideration of the Labor-HHS appropriations bill. Chairman SPECTER and Senator HARKIN have started a process of lining up amendments to be considered. Last night we locked in a vote which will begin at 10:30 this morning. That vote will be on Senator SPECTER's amendment on Medicaid/Medicare centers for services.

I encourage Members who have amendments to the Labor-HHS bill to contact both managers as soon as possible. In order to ensure we finish the bill this week, we may have to file cloture at some point. We do not want to foreclose Members' rights to offer amendments. Thus, Senators should exercise their right to offer those amendments and do it now, come over this morning and over the course of the day. We will have multiple votes during today's session. Senators need to come to the floor promptly once a vote is called. As both the Democratic leader and I mentioned yesterday, we need

to be responsible in voting on time, and that is a courtesy to the rest of the Senate. But even more importantly, we have so much to do that we do need to run the place in a disciplined way. We will have our policy luncheons today from 12:30 to 2:15.

ROSA PARKS

Mr. FRIST. Mr. President, a few moments ago, during our opening prayer, the Chaplain mentioned Rosa Parks. I, too, want to take a moment to note the passing of one of America's extraordinary citizens, an activist, a champion of principle, a true hero, Rosa Parks.

All Americans should know Mrs. Parks' extraordinary story, how her refusal to give up a seat on that Montgomery, AL, bus led to a successful bus boycott and how that boycott ultimately led to the great and historic civil rights movement that remade our Nation. Ms. Parks defied an unjust, unfair, and unconstitutional law that declared African Americans second-class citizens. In so doing, she began a process that led to the historically important and vital 1964 Civil Rights Act.

Racism still exists in our society. Discrimination continues. But Rosa Parks' brave stand against an unjust law began a movement that set our society moving away from prejudice toward equality, toward a society where people are not judged by the color of their skin but by the content of their character.

Rosa Parks' actions and the life she lived stand as a testament to the importance of principle and the power of a single individual to change the world. In the coming months, I hope that we in the Senate will look for other ways to honor Mrs. Parks' legacy and the principles for which she and her life stood.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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THE GRAND OLE OPRY

Mr. FRIST. Mr. President, this year the Grand Ole Opry celebrates 80 years of star-studded country entertainment. This venerated institution stands as one the most important traditions in radio broadcasting and country music. If not for the Grand Ole Opry, my hometown of Nashville would most likely have never gained that title of "Music City USA."

The Grand Ole Opry first broadcast on November 28, 1925. Originally called the WSM Barn Dance, the weekly radio show featured comedy and blue grass, gospel and country. Radio host George D. Hay made sure that every broadcast was kept "real down to Earth."

Today, the Opry stands as the longest running continuous weekly radio broadcast, with over 4,000 consecutive Saturday evening shows. Audiences can tune into the Grand Ole Opry via radio, satellite, television or Internet. The show is even broadcast by the Armed Forces Radio and Television Services Network to entertain our troops around the world.

Throughout its history, the Opry has embraced and celebrated the best in family entertainment, including those musical performances and comedy sketches that have warmed the hearts of millions throughout the South, all over the country and, indeed, throughout the world. Country great and Opry member Dolly Parton explains that at the Opry, "there's a circle of friends, and a circle of performers and a circle of love at the old place."

Jeanie Seely puts it this way:

The Grand Ole Opry is not an institution. It's not a building. It's the people, the performers, the people who come. That's the Grand Ole Opry. That's what makes it special.

And for new members, joining the Opry is joining a pantheon of country music greats. Roy Acuff, Chet Atkins, Johnny Cash, Dolly Parton, Minnie Pearl, Grandpa Jones, Garth Brooks, Vince Gill, and Reba McEntire, all have been members, and the list goes on. Even President Nixon has played on that Grand Ole Opry stage.

As Loretta Lynn recently told a newspaper:

If you've never played at the Grand Ole Opry, you haven't quite made it, yet.

The Opry has promoted country music in a unique way. It has promoted it to the entire world and has invited new generations to hear the best that country has to offer. I am honored to represent the home State of such a dynamic part of American culture and music history.

Today, I proudly introduce a Senate resolution commending the Grand Ole Opry for 80 years of music excellence.

COMMENDING THE GRAND OLE OPRY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 286, which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 286) commending the Grand Ole Opry on the occasion of its 80th anniversary for its important role in the popularization of country music and for its 8 decades of musical and broadcast excellence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 286) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 286

Whereas the Grand Ole Opry is a pioneer of commercial radio in the United States, and is the longest running continuous radio program in the United States, having operated since November 28, 1925, and having broadcasted over 4,000 consecutive Saturday evening shows on WSM Radio, Nashville, Tennessee;

Whereas the Grand Ole Opry played an integral role in the commercial development of the country music industry, and in establishing Nashville, Tennessee, as "Music City USA";

Whereas the Grand Ole Opry has consistently promoted the best in live entertainment and provided a distinctive forum for connecting country music fans to musicians so as to promote the popularity of this uniquely American genre;

Whereas the Grand Ole Opry serves as a unique American icon that enshrines the rich musical history of country music, and preserves the tradition and character of the genre through commemorative performances and events;

Whereas the Grand Ole Opry is committed to quality performances, and the membership of the Grand Ole Opry represents the elite of country music performers, including generations of America's most talented musicians, encompassing the music legends of old and the superstars of today that continue to define American country music;

Whereas performers at the Grand Ole Opry have included such universally recognized names as Roy Acuff, Chet Atkins, Johnny Cash, Patsy Cline, Porter Wagoner, Little Jimmy Dickens, Connie Smith, Earl Scruggs, George Jones, Grandpa Jones, Loretta Lynn, Uncle Dave Macon, Dolly Parton, Minnie Pearl, Jim Reeves, Hank Williams, and many more;

Whereas the Grand Ole Opry celebrates the diversity of country music, with membership spanning both generation and genre, representing the best in folk, country, bluegrass, gospel, and comedy performances;

Whereas the Grand Ole Opry continues to utilize technological innovations to develop new avenues of connecting country music to its fans, and can be seen and heard around the world via television, radio, satellite radio, and the Internet;

Whereas the Grand Ole Opry provides heartening support to members of the Armed Forces by participating in the Department of Defense's America Supports You Program, providing live performances to American Forces serving abroad via the American Forces Radio and Television Services network;

Whereas the Grand Ole Opry is recognized as the world's premiere country music show, and continues to entertain millions of fans throughout the world, including United States Presidents and foreign dignitaries,

and serves as an emissary of American music and culture; and

Whereas the Grand Ole Opry will continue to impact American culture and music, and play an important role in presenting the best in country music to new generations of fans throughout the world, touching millions with music and comedy: Now, therefore, be it

Resolved, That the Senate commends the Grand Ole Opry on the occasion of its 80th anniversary for its important role in the popularization of country music, and for its 8 decades of musical and broadcast excellence.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I join the majority leader in the resolution that I have cosponsored honoring the Grand Ole Opry on its 80th birthday.

I ask unanimous consent to bring on the Senate floor this piece of demonstrative evidence which I hold in my hand and to which I will refer in a moment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Those of us of a certain age will recognize this straw hat with a garland of flowers and a price tag that says \$1.98 as the kind of hat that Minnie Pearl wore on the Grand Ole Opry on Friday and Saturday nights every year for about 40 years. Most of the time, Minnie Pearl was the Grand Ole Opry, along with Roy Acuff. She welcomed people with: Howdy, I'm so proud to be here. I didn't say it the way she would always say it. Thousands and thousands of Americans sat on the uncomfortable wooden pews in the back of the Ryman Auditorium and later at the Opry to watch this radio show. One of those was a young man from Minnesota named Garrison Keillor, who, in the 1970s, sat back there and imagined the show which we call today "The Prairie Home Companion."

A couple weekends ago, I was the guest announcer on the Grand Ole Opry. They didn't trust me with the Goo Goo candy bar commercial or with the 7 p.m. show which is nationally televised, so I was on at 8. But I did get to do the Martha White flour commercial and to introduce Porter Waggoner three times.

There is nothing quite like the Grand Ole Opry. There are 3,400 people out there every Friday night, every Saturday night, now sometimes on Tuesdays. Flashbulbs are popping. Everybody is having a good time.

There was Jimmy C. Newman from Louisiana who next year will be on the Grand Ole Opry for 50 years. There was Susan Haynes, the daughter of my law school roommate. This is her first year on the Grand Ole Opry. There was Carol Lee and Nora Lee, the back-up singers. They have been there a long time, too.

At 7 o'clock, there was Vince Gill who ended his hour-long session with a piece of jazz music. The Grand Ole Opry is getting more diversified. There was Keith Bilbrey backstage interviewing people. He was explaining what Charlie McCoy, the great harmonicist, once said about the four stages of being a country music star which sound a lot like being a politician. Stage No. 1 is, Who is Charlie McCoy? Stage No. 2 is, Get me Charlie McCoy. Stage No. 3 is, Get me somebody who sounds like Charlie McCoy. And stage No. 4 is, Who is Charlie McCoy?

The Opry was started so that the National Life and Accident Insurance Company could sell debit insurance. They got a big tower in Nashville. I think it is 50,000 watts. So all the people who were on little radio stations came to Nashville so they could be on the big radio station.

That is when Roy Acuff and Chet Atkins and Archie Grandpappy Campbell and Dolly Parton all moved from east Tennessee to Nashville. If you understand how important the Alamo is to Texas, you will understand how important the Grand Ole Opry is to Tennesseans, not just Tennesseans but many Americans, the 3,400 who every Friday and Saturday night have gone to thousands and thousands of these radio shows.

No one represented the Opry in its spirit better than Minnie Pearl. There is a photograph of Minnie in dressing room No. 1 backstage, which was Roy Acuff's dressing room until he died, which was the dressing room that Vince Gill was using on the night I was there as the guest announcer. There on the wall was a picture of a young Minnie Pearl in the early 1940s with this hat or a hat similar to this one.

Where did this \$1.98 price tag come from? I heard the story that night for the first time. Minnie was performing on the Opry. She pinned a garland of flowers to her hat. And during her performance, this price tag wiggled down and started dangling from her hat. She left it there for the next 40 years as a reminder that anybody can make a mistake and it is all right to make one.

Minnie Pearl was a talented woman who wanted to be Katharine Hepburn. As she said, that was already taken. She set a standard of conduct and style for the Grand Ole Opry that lasts and persists until today, and that style was simply that she was just a very nice person. She would sign the last autograph; she would say hello to anyone; she would pay a call on a Grand Ole Opry family member who was sick; she would see the last fan who had waited for 2 hours after the show.

Minnie Pearl told me one time: I have gotten to the point in life where I have decided if people are not nice, they are not so hot in my book no matter how big they are.

So in the spirit of Minnie Pearl and all of the thousands of Americans who have created and enjoyed the Grand Ole Opry, happy 80th birthday, Grand Ole Opry.

Mr. President, I yield the floor.

RESERVATION OF LEADERSHIP TIME

The PRESIDING OFFICER (Mr. VITTER). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business for up to 30 minutes, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Oklahoma is recognized.

SAVING OUR TAXPAYERS' DOLLARS

Mr. INHOFE. Mr. President, let me recognize that Minnie Pearl is a tough act to follow. Nonetheless, we must move on. Today, I am going to announce a one-sentence initiative that I will try to put on the Labor-HHS appropriations bill. I won't be successful because there are some procedural reasons. It would take a supermajority. But at least we will get a vote down so we will have an idea about who in this Chamber is really serious about doing something about the deficit.

I had to oppose my dear friend and junior Senator from Oklahoma last week because of the unintended consequences of interfering with local self-determination, and I caution any effort that would substitute or preempt States' sovereignty in favor of centralized control in the Federal bureaucracy unless substantial cuts in spending are accomplished.

The Framers of the Constitution feared one thing above all else, and that was a tyrannical central Government made up of unaccountable Federal bureaucrats would someday be able to supersede States' rights in decisionmaking by locally elected representatives. There is nothing more conservative than this very principle of preserving local control against the centralized Government.

As the author of the Transportation reauthorization bill, I was very pleased at the way we drafted the legislation. We took a formula so that we could allocate funds to the States but then didn't tell the States what to do with them and said: You determine what your priorities should be at the State level. I believe it is a very good process. I was proud to be a part of that process.

There is a mentality in Washington, DC, that if a decision isn't made in Washington, it is not a good decision. The controversial Ketchikan to Gravina Island bridge in Alaska has become a rallying point about boon-

doggles, and maybe it is a boondoggle, but the people in Alaska didn't think so. They have 100 projects. All States do it differently. But in Alaska, they list 100 projects that are the projects they want to have someday. That particular bridge is ranked in the top 4 of those 100. I think also that we have to recognize that we in Washington do not really know what is the best thing for them.

The other thing that is very important is that most of the money, had this amendment passed, is in accordance with the formula. So if we directed them not to build their bridge, that money could still be spent in Alaska on other projects. We would just be saying that you have to spend the dollars in a way that we in Washington say is best for you.

I will support future amendments that will save taxpayers' dollars. In the meantime, there is something we can do: support the one-sentence amendment that I will introduce.

Beginning with fiscal year 2007 and thereafter nondefense, nontrust fund discretionary spending shall not exceed previous years without a two-thirds vote.

That is very simple, very straightforward, and something that will work. I recognize that we are only talking in this case about 20 percent of the budget because we have so many entitlements and, of course, the defense spending. But those entitlements are being addressed right now in the budget reconciliation. We need to wait and see how that washes out.

I had this as kind of a mission for a lot of years. I introduced the first amendment in 1987, the first year that I was here over in the other body at that time. But it goes all the way back to 1969 when then Senator Carl Curtis from Nebraska came up with the idea. He was the one who always wanted to the pass the amendment as an amendment to the Constitution. So he said, Why don't you out in Oklahoma preratify a constitutional amendment, so if we get enough States to do it, that would give us the power needed to try to pass a balanced budget amendment to the Constitution.

It never worked. I think the idea was right. I think this very simple solution is one we can address today. It will be something that will take care of these problems in a much simpler way and will maintain the authority out in the States where I believe it belongs. I have served as a mayor of a city, I have served in the State legislature, and I have served here. It has been my experience that the closer you get to home, the better the decisions, and that is consistent with what I am asking for today.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized. Mr. DEMINT. I thank the Chair.

BUDGET RECONCILIATION

Mr. DEMINT. Mr. President, these are serious and difficult times for our

country and for many Americans. These are times that demand bold and immediate action. The American people do not want any more excuses. They do not want to hear Congressmen and Senators arguing about who is to blame, and they are not impressed by those who constantly criticize the proposals of others but never make any proposals of their own.

Energy prices are too high, and we have heard enough excuses about why America cannot develop our own oil and gas reserves, build more refineries, and develop more alternative fuels to make us more independent of Middle East oil.

Health care and health insurance are too expensive, and we have heard enough excuses about why individuals cannot buy health insurance from anywhere in the country and get the same tax breaks as businesses.

Illegal immigration is out of control, and we have heard enough excuses about why we cannot control our borders.

Social Security is going broke, and we have heard enough excuses why Congress should continue to spend trillions of dollars of Social Security taxes on other Government programs.

We need action now, but we cannot solve these difficult problems that face us if we do not have a strong economy and a more efficient Government. House and Senate Republicans are developing budget reconciliation legislation now that will accomplish these goals to strengthen our economy, create jobs, and cut the cost of the Federal Government.

This package has two parts. The first part is to stop the scheduled tax increases that will soon add new burdens to our citizens and the businesses that pay their salaries. We must not allow new tax increases to steal our jobs and weaken our country at a time when we need all of our economic strength to solve the problems of today and to create new opportunities for the future.

The 2003 jobs and growth plan passed by Congress and signed by the President lowered taxes for capital gains and dividends, and it resulted in greater economic growth. Our economy has grown more than 4 percent a year since 2003, much faster than in the prior 2 years. Over 4 million jobs have been created since 2003, and 7 million seniors saved an average of over \$1200 on their 2004 taxes. And while tax rates have fallen, tax revenues have been increasing. In fact, as a result of a growing economy, Federal tax receipts grew this year by over \$270 billion—\$100 billion more than the Congressional Budget Office estimated earlier this year. If Congress does not pass this important budget reconciliation legislation this year, taxes will go up and economic growth will go down.

During uncertain times, Americans want stability. And that is why Congress must act now to bring certainty to America's families and stop the scheduled tax increases.

The second part of the Republican budget reconciliation package is to cut Government waste and reduce Federal spending. There are many wasteful practices of Government. We have all heard the stories like the dentist who overbilled Medicaid, claiming to perform as many as 991 procedures a day during a 12-month period.

The PRESIDING OFFICER. The time under the control of the majority for morning business has expired.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. DEMINT. Could I ask unanimous consent?

Mr. LEAHY. Does the Senator want to ask for further time?

Mr. DEMINT. Yes, if I could have a couple more minutes. I ask unanimous consent for 2 more minutes.

Mr. LEAHY. Provided it will not come out of our time, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEMINT. I thank the Senator. I thank the Chair.

Examples like the Medicaid one I just mentioned are maddening. We must stop this wasteful spending, and we also must slow the growth of new spending. If we slow the growth of new spending only, we can save much of the money we need to help our States recover from this year's devastating hurricanes. There is no problem too big for America to solve if we have the commitment and the strength to do it. Mr. President, the time for criticism, excuses, and obstruction is over. I am here this morning to appeal to every Senator to support our budget reconciliation package that will stop new tax increases and help cut the cost of Government so we have all the strength we need to secure the future for every American.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The minority controls 15 minutes which is beginning now.

Mr. LEAHY. Mr. President, I ask unanimous consent that we make that 21 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

IRAQ

Mr. LEAHY. Mr. President, 3 years ago when the Congress and the country debated the resolution to give President Bush the authority to launch a preemptive war against Iraq, reference was often made to the lessons of Vietnam.

There are many lessons, both of that war and of the efforts to end it. But one that made a deep impression on me came from former Secretary of Defense Robert McNamara. He was, after all,

the architect of that war. He said our greatest mistake was not understanding our enemy.

Vietnam was a relatively simple country. It had changed little in the preceding 3,000 years. It was for the most part racially, ethnically, linguistically, and even religiously homogeneous. One would have thought it would be easy for American military and political leaders to understand.

Apparently it was not. The White House and the Pentagon, convinced that no country, particularly a tiny impoverished land of rice farmers, could withstand the military might of the United States, never bothered to study and understand the history or culture of Vietnam, and they made tragic miscalculations. They lacked the most basic knowledge of the motivation and the capabilities and resolve of the people they were fighting.

At the start of the Iraq war, those who drew some analogies to Vietnam were ridiculed by the Pentagon and the White House. Iraq is not a Vietnam, they insisted. Our troops would be greeted as liberators. Troop strength was not a concern. Our mission would be quickly accomplished. Democracy would spread throughout the Middle East. Freedom was on the march.

It is true that Vietnam and Iraq are vastly different societies, but the point was not that they are similar but that some of the same lessons apply.

We did not understand Vietnam, a simple country, and we paid a huge price for our ignorance and our arrogance. Iraq, a complex country comprised of rival clans, tribes, and ethnic and religious factions who have fought each other for centuries, we understand even less.

If this were not apparent to many at the start of this ill-conceived and politically motivated war, a war I opposed from the beginning, it should be obvious today. Yet to listen to the Secretary of Defense or to the President or the Vice President, one would never know it.

We know today that President Bush decided to invade Iraq without evidence to support the use of force and well before Congress passed a resolution giving him the authority to do so—actually, authority he did not even believe he needed—despite our great Constitution which invests in the Congress the power to declare war.

Twenty-three Senators voted against that resolution, and I will always be proud to have been one of them.

We know today that the motivation for a plan to attack Iraq, hatched by a handful of political operatives, had taken hold within in the White House even before 9/11 and without any connection to the war on terrorism that came later.

We know that the key public justifications for the war—to stop Saddam Hussein from developing nuclear weapons and supporting al-Qaida—were based on faulty intelligence and outright distortions, and they have been

thoroughly discredited. United Nations weapons inspectors, who were dismissed by the White House as being naive and ineffective, turned out to have gathered far better information with a tiny fraction of the budget of our own intelligence agencies.

We know the insurgency is continuing to grow along with American casualties—1,999 killed, and at least 15,220 wounded, many with crippling injuries, as of yesterday—despite the same old “light at the end of the tunnel” assertions and clichés by the White House and top officials in the Pentagon.

The sad but inescapable truth, which the President either does not see or refuses to believe or admit, is the Iraqi insurgency has steadily grown, in part because of, not in spite of, our presence there.

After baiting the insurgents to “bring them on,” as the President said, we got what the President asked for. More than 2 years later, the pendulum has swung against us and the question is no longer whether we can stop the insurgency; the question is how do we extricate ourselves.

According to soldiers who volunteered for duty in Iraq believing in the mission and who have returned home, many Iraqis who detest the barbaric tactics of the insurgents have also grown to despise us. They blame us for the lack of water and electricity, for the lack of jobs and health care, for the hardships and violence they are suffering day in and day out.

Unlike our troops and their families who are making great sacrifices every day, most Americans have been asked to sacrifice nothing for this war. In fact, we don’t pay the bills. The bills are being sent to our children and our grandchildren by way of our rapidly escalating national debt and annual deficits.

Yet as the hundreds of billions of dollars to pay for the war continue to pile up and domestic programs, such as Medicaid, job training, and programs for needy students, are cut, then the sacrifices are going to be felt as well.

Slogans have become little more than political rallying cries for the White House, slogans as empty and unfulfilled as “mission accomplished.” Our troops were sent to fight an unnecessary war without sufficient armor against these ruthless and barbaric bombing attacks, without adequate reinforcements, without a plan to win the peace, and without adequate medical care and other services when they return home on stretchers or crutches or with eye patches, unable to walk, to work, to pay their mortgages, or to support their families.

Many of our veterans have been treated shamefully by their Government when it sent them into harm’s way under false pretenses and again after they returned home.

Today I worry about places such as Ramadi, where more than 300 members of the Army National Guard from my

State of Vermont are currently serving valiantly alongside their comrades in the Marine Corps and the Pennsylvania National Guard. Dozens of other citizen soldiers from the Vermont Guard are serving across Iraq, while hundreds more are deployed throughout the Persian Gulf region.

Many Vermonters have been killed in Ramadi and elsewhere by roadside bombs and all-too-accurate sniper attacks. The insurgents too often seem to attack and then escape with impunity. You can actually open newspapers and see photos of armed insurgents walking the streets of Iraq in broad daylight.

Many of these cold-blooded attacks are by people who are willing to trade their own lives to kill civilians, security guards, and our soldiers who now have no way of knowing whom they can trust among the general population.

The President has no plan to deal with Ramadi, let alone the rest of Iraq, except doing more of what we have been doing for more than 2 years at a cost of \$5 billion a month—money we don’t have and that future generations of Americans are going to have to repay. Nor has he proposed a practical alternative to our wasteful energy policy that guarantees our continued dependence on Persian Gulf oil for decades to come.

I am sure that what our military is doing to train the Iraqi Army and what our billions upon billions of dollars are doing to help rebuild Iraq—whatever is not stolen or wasted by profiteering contractors—is making a difference. Iraq is no longer governed by a corrupt, ruthless dictator, and there have been halting but important steps toward representative government.

I applaud the Iraqis who courageously stood in long lines to cast a ballot for a new constitution, despite the insurgents’ threats. There are many profiles in courage among the Iraqi people, just as there are in the heroic and daily endeavors of United States soldiers there.

But this progress masks deeper troubles and may be short lived, threatened by a widening insurgency and a divisive political process that is increasingly seen as leading to a Shiite-dominated theocracy governed by Islamic law and aligned with Iran, or the dissolution of Iraq into separate Kurdish, Sunni, and Shiite states.

Mr. President, this war has been a costly disaster for the United States of America. More than half of the American people now say they have lost confidence in the President’s handling of it.

Far from making us safer from terrorists, in fact, it has turned Iraq into a haven and recruiting ground for terrorists and deflected our attention and resources away from the fight against terrorism. If anything, it has emboldened our enemies, as it has become increasingly apparent that the most powerful army in the world cannot stop a determined insurgency.

Regrettably, it is no longer a secret how vulnerable we are. Hurricane Katrina showed how tragically unprepared we are to respond to a major disaster 4 years after 9/11 and after wasting billions of dollars on an unnecessary war.

Our cities are little further than the drawing board when it comes to developing workable evacuation plans for a terrorist attack or other emergency, not to mention how to feed, house, and provide for millions of displaced persons.

This war has caused immense damage to our relations with the world’s Muslims, a religion practiced by some 1.2 billion people, about which most Americans know virtually nothing. We cannot possibly mount an effective campaign against terrorism without the trust, respect, and the active support of Muslims, particularly in the Middle East where our image has been so badly damaged. Our weakened international reputation is another heavy price our country has paid for this war.

Each day, as more and more Iraqi civilians, often children, lose their lives and limbs from suicide bombers and also from our bombs, the resentment and anger toward us intensifies. And every week, the number of U.S. service men and women who are killed or wounded creeps higher and will soon pass 2,000, but, even more tragically, shows no sign of diminishing.

This war has isolated us from our allies, most of whom want no part of it, and if we continue on the course the President has set, it will also divide our country.

Other Senators and Representatives, Republicans and Democrats, have expressed frustration and alarm with the President’s failure to acknowledge that this war has been a costly mistake, that more of the same is not a workable policy, and that we need to change course. My friend Senator HAGEL, a Vietnam veteran, has pointed out the increasing similarities to Vietnam. We learned this week that the administration has even resumed the discredited Vietnam-era practice of measuring progress by reporting body counts.

White House and Pentagon officials and their staunchest supporters in Congress warn of a wider civil war if we pull our troops out. They could be right. In fact, it could be the first thing they have been right about since the beginning of this reckless adventure.

My question to them is: When and how then do we extract ourselves from this mess? What does the President believe needs to happen before our troops can come home? What is his plan for getting to that point?

If we cannot overcome the insurgency, what can we realistically expect to accomplish in Iraq—and at what cost—that requires the continued deployment of our troops? What is it that compels us to spend billions of dollars to rebuild the Iraqi military when our own National Guard is stretched to the breaking point and cannot even get the money for the equipment it needs?

I doubt the President or the Secretary of Defense will answer these questions. Instead of answers, we get rhetoric that conflicts with just about everything we hear or read, including from some of this country's most distinguished retired military officers who served under both Republican and Democratic administrations.

Six months ago, the Vice President said the insurgency was in its last throes. That was just the latest in a long string of grossly inaccurate statements and predictions and false expectations about Iraq.

Secretary Rice, when asked recently when U.S. forces could begin to come home assuming the Administration's rosy predictions come true, could not, or would not, even venture a guess.

Without answers—real answers, honest answers—to these questions, I will not support the open-ended deployment of our troops in a war that was based on falsehood and justified with hubris.

Even though I opposed this war, I have prayed, like other Americans, that it would weaken the threat of terrorism and make the world safer, that our troops' sacrifices would be justified, and that the President had a plan for completing the mission.

Instead, it has turned Iraq into a training ground for terrorists, it is fueling the insurgency, it is causing severe damage to the reputation and readiness of the United States military, and it is preventing us from addressing the inexcusable weaknesses in our homeland security.

The Iraqi people, at least the Shiites and Kurds, have voted for a new constitution, as hastily drafted, flawed, and potentially divisive as it may be. Saddam Hussein, whose capacity for cruelty was seemingly limitless, is finally facing trial for his heinous crimes. Elections for a new national government are due by the end of the year. By then, it will be more than 2½ years since Saddam's overthrow, and we will have given the Iraqi people a chance to chart their own course. The sooner we reduce our presence there, the sooner they will have to make the difficult decisions necessary to solve their own problems in their own country.

Our military commanders say that Iraq's problems increasingly need to be solved through the political process, not through military force. We must show Iraq and the world that we are not an occupying force, and that we have no designs on their country or their oil. The American people need to know that the President has a plan to bring our troops home.

Once a new Iraqi government is in place, I believe the President should consult with Congress on a flexible plan that includes pulling our troops back from the densely populated areas where they are suffering the worst casualties and to bring them home.

It is also long overdue for Congress and the White House to reassess our policy toward this region.

The President has declared democracy is taking root throughout the Middle East, and there have been some small, positive steps. But they are dwarfed by the ongoing threat posed by Iran, Syria's continued meddling in Iraq and Lebanon, repression and corruption in Saudi Arabia and Egypt, the danger that the momentum for peace from Israel's withdrawal from Gaza will be lost as settlement construction accelerates in the West Bank, and the widespread—albeit mistaken—belief among Muslims that the United States wants to destroy Islam itself.

Just as the White House's obsession with Iraq has diverted our resources and impeded our efforts to strengthen our defenses against terrorism at home, so has it made it more difficult to constructively, with our allies, address these regional threats.

As I have said, I did not support this war, and I believe that history will not judge kindly those who got us into this debacle by attacking a country that did not threaten us, after deceiving the American people and ridiculing those who appealed for caution and for instead mobilizing our resources directly against the threat of terrorism.

I worry that many of our young veterans who have gone to Iraq and experienced the brutality and trauma of war and may already feel guilty for having survived, will increasingly question its purpose. As the architects of this war move on to other jobs, I fear we are going to see another generation of veterans, many of them physically and psychologically scarred for life, who feel a deep sense of betrayal by their Government.

If President Bush will not say what remains to be done before he can declare victory and bring our troops home, then the Congress should be voting on what this war is really costing the Nation.

We should vote on paying for the war versus cutting Medicaid, as some are proposing; or pay for the war versus cutting VA programs that are already unable to pay the staggering costs of treatment and rehabilitation for our injured veterans; or pay for it versus rebuilding our National Guard; or rebuilding FEMA; or securing our ports and our borders; or investing in our intelligence so we can finally capture Osama bin Laden; or investing in health care for the tens of millions of Americans who cannot afford to get sick; or fixing our troubled schools, so our children can learn to do a better job than we have of making the world a safer place for all people.

These, and the tarnished reputation of a country that I love and so many once admired as not only powerful but also good and just are the real costs of this war.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

ORDER OF PROCEDURE

Mr. SPECTER. Mr. President, I put all Senators on notice that we will

soon be starting the debate on an amendment to be offered by Senator DURBIN. We had expected to go on the bill at 10, with morning business scheduled from 9:30 to 10, but morning business has run a little late. One of the Senators asked for an extension of time, which was not objected to. Now Senator STABENOW has asked for 5 minutes, which we will agree to. Senator HARKIN and I are on the floor, and we are anxious to proceed with the business of the bill. I know Senator HARKIN would like to make a comment.

Mr. HARKIN. If the distinguished chairman would yield, I am sorry I was off the floor momentarily, but did the Senator from Pennsylvania do anything about the amendment that is pending?

Mr. SPECTER. Mr. President, the request was made to have the amendment which is pending accepted by a voice vote. It is really in the nature of a technical amendment. The amendment reduces Federal administrative costs for the Centers for Medicare and Medicaid Services by \$15 million with no cuts coming from oversight and enforcement. This reduction is necessary to bring the Labor-HHS bill into compliance with its allocation ceiling. Concerns have been raised that this reduction would reduce the funds available to administer the new prescription drug program. This is not the case—the reduction will come from administrative overhead, supplies and contracts. We had talked about having a vote on it this morning at 10:30, but in light of the request that we not vote on that amendment but vote on the Durbin amendment, that is acceptable to this side.

As I said before, Senator STABENOW has asked for 5 minutes, and we are prepared to yield that time. But we want to put all Senators on notice we are anxious to proceed with the bill, and I will expect to start on the Durbin amendment at about 10:24 and expect to vote on it sometime between 10:45 and 11.

Senator HARKIN and I, backed by the leaders, have said that we are going to do our best to enforce 20-minute votes, 15 and a 5-minute extension. So all Senators should know when we start the Durbin vote that it will be limited to 20 minutes to the extent that Senator HARKIN and I can prevail on that. When we finish the Durbin vote at about 11:15, we would be pressing to have amendments filed. We have a long, complicated bill. There is an amendment lined up at 2:15, but if we are to move this bill along and to avoid pressing for third reading and final passage, we want to avoid lengthy quorum calls.

I yield the floor.

TRIBUTE TO ROSA LOUISE PARKS

Ms. STABENOW. Mr. President, first, I appreciate the courtesies extended to me by the distinguished Senator from Pennsylvania and the distinguished Senator from Iowa.

I rise to pay tribute to one of the giants of American history. Today we honor the remarkable life and legacy of Rosa Parks, who died just last evening at the age of 92.

The Detroit News today says:

Courage in the face of oppression; resistance in the face of injustice. That is the enduring legacy of Rosa Parks, whose defiance on a racially segregated Montgomery, Ala., bus lit the flame of the modern civil rights movement and inspired freedom movements from South Africa to Poland.

The Detroit Free Press today:

When Rosa Parks refused to get up, an entire race of people began to stand up for their rights as human beings. Her refusal to give up her bus seat to a white man was a simple act that took extraordinary courage in Montgomery, Ala., in 1955. It was a place where black people had no rights that white people had to respect. It was a time when racial discrimination was so common, many blacks never questioned it. At least not out loud. But then came Rosa Louise Parks.

I am so proud Rosa Parks was a resident of Michigan. We have claimed her for many years and are so proud that she has left her legacy to all of us, particularly in Detroit, MI.

On December 1, 1955, Rosa Parks left work in her hometown of Montgomery, AL, and boarded a bus headed for home. When the bus became crowded, she was ordered by the bus driver to give up her seat to a white male passenger. She refused. Rosa Parks was arrested, and 4 days later the Montgomery bus boycott began. The boycott lasted for over a year until the Montgomery buses were officially desegregated in December of 1956.

Rosa Parks was a courageous woman who did what she believed was fair and right. She is a testament to the power of one individual willing to fight for their beliefs. Her actions set the civil rights movement in motion and set a precedent for protest without violence. We all owe a debt of gratitude to Rosa Parks for her contribution to freedom and justice for all men and women in this country. Truly, her actions changed the course of history.

Rosa Parks moved to Detroit in 1957 and it became home for her for nearly 50 years. In 1977, she and Elaine Easton Steele founded the Raymond and Rosa Parks Institute for Self-Development in Detroit to offer guidance to young African-Americans. The institute's many programs include the annual Pathways to Freedom bus tour that exposes young African Americans to landmarks of the civil rights era.

The people of Michigan take great pride in the fact that Rosa Parks became part of our community in our great State. She devoted her life to public service, to helping people, and to helping to serve as a role model for our children. She made such an impact on our country and on the people of the metro Detroit community that the actual bus where Rosa Parks made her defiant stand is now on display at the Henry Ford Museum in Dearborn, MI.

Children from all over the world have come to see the bus that became this

symbol of the civil rights movement. Nicknamed the Mother of Civil Rights, President Clinton awarded Rosa Parks the Presidential Medal of Freedom in 1996, the highest civilian award this country can bestow. Mrs. Parks also received the Congressional Gold Medal in 1999. Earlier this year, Senator LEVIN and I introduced a bill to name a Federal building in Detroit after Mrs. Parks. We think it is important that we recognize her in this way to thank her in some small way for her incredible contribution to our country. It is an honor she richly deserves, and I believe it is important that we pass this bill this week in the Senate, just as the House has passed the bill, so that we can together, in a unanimous way, say: Thank you, Rosa Parks.

Mr. DURBIN. Mr. President, I join others the world over in mourning the death and giving thanks for the life of Mrs. Rosa Parks. Someone once said that in the instance Rosa Parks refused to move, somewhere in the universe a gear in the machinery shifted. Jim Crow had finally met his match.

Rosa Parks was an accomplished seamstress who helped us all see that America's great strength is the fact that we are one cloth sewn together in a splendid coat of many colors. It is often reported that Rosa Parks refused to give up her seat on the bus that day in Montgomery, AL, because her feet were tired.

That was not so. She said many times:

I was not physically tired—or no more than I usually was at the end of a working day. No, the only tired I was, was tired of giving in.

It would be more than a year before the U.S. Supreme Court ruled Montgomery's segregated buses were unconstitutional.

To this day, the Montgomery bus boycott remains the largest and most successful act of civil disobedience in the history of the United States of America, all inspired by this simple, courageous woman. For 381 days, tens of thousands of hard-working middle class, lower class, and all classes of African Americans walked miles to work every day in the heat, in the cold, in the rain. Many of the boycotters, including Mrs. Parks and her husband Raymond, lost their jobs, but they never lost their faith. They persevered with courage and with dignity.

In the end, they did not just change the law; they changed our Nation, and they changed the world. The image of Rosa Parks sitting quietly on that bus waiting to be arrested is etched forever in our national consciousness, but it is not simply refusing to give up her seat that made Rosa Parks so great. It was a refusal to give up hope, especially her hope in young people.

In 1955, Mrs. Parks was the leader of the Montgomery NAACP local youth organization. It is one of the lesser known parts of her story that the evening she was arrested she was in the process of rejuvenating that youth

group. Her dedication to the next generation is the reason she founded the Raymond and Rosa Parks Institute for Self-Development in Detroit, MI. Her faith was tested, but it was never broken. After Mrs. Parks was robbed and beaten in her own home in 1992, she implored people "not to read too much into the attack."

"Young people need to be taught to respect and care for their elders," she said. "Despite the violence and crime in our society, we should not let fear overwhelm us. We must remain strong. We must not give up hope; we can overcome."

This morning's Detroit Free Press has a wonderful story on Mrs. Parks' life and legacy. In it, U.S. Appeals Court Judge Damon Keith, a longtime friend of Mrs. Parks, recalls when another living icon of freedom, Nelson Mandela, visited Detroit in 1990.

When he got off the plane, a long line of dignitaries was waiting to greet the great man. President Mandela scanned the line until his eyes rested on a tiny woman. "He chanted Rosa, Rosa, Rosa Parks," Judge Keith recalls.

President Mandela told Mrs. Parks that she was his inspiration during the long years he was jailed on Robbins Island, and that her example had inspired South Africa's freedom fighters. Later, in a 1993 speech to the NAACP, Nelson Mandela called Rosa Parks "the David who challenged Goliath."

Ms. Johnnie Carr, Mrs. Parks' longtime friend, said Mrs. Parks always believed that the Montgomery bus boycott was "ordained by God." It was meant to be. But it almost did not happen. In her autobiography, Mrs. Parks wrote that, had she not been so tired that day, she would have waited for the next bus, because she would have recognized the driver of the Number 7 bus as the same man who had put her off the bus years earlier for refusing to board through the back door.

On that earlier occasion, in 1943, Mrs. Parks had just tried, unsuccessfully, to register to vote. Twelve years later—the morning after the long Montgomery bus boycott ended—Mrs. Parks again boarded the Number 7 bus, paid her fare, and took her seat in the front of the bus. By coincidence—or perhaps by divine design—the bus driver that day was the same man who had called the police to have her arrested more than a year earlier. His name was James Blake. And he lived in a little town call Equality, GA.

The Detroit Free Press this morning quotes from one of the last interviews Rosa Parks gave. A decade ago, in an interview with that newspaper, Mrs. Parks was asked how she hoped to be remembered. She replied, "I'd like people to say that I'm a person that always wanted to be free, and wanted it not only for myself—freedom for all human beings."

That is a great tribute to a great lady who we remember today.

I yield the floor to the chairman of the committee.

Mr. SPECTER. I thank the Senator from Illinois for yielding. Before proceeding to his amendment, I would like to commend the Senator from Michigan and the Senator from Illinois for their comments about the great leadership of Rosa Parks to the civil rights movement, and to associate myself with those comments.

I thank the Senator from Illinois.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3010, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2006 and for other purposes.

Pending:

Specter amendment No. 2197, to reduce administrative costs in the Centers for Medicaid and Medicare Services.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 2197

Mr. SPECTER. Mr. President, I move to vitiate the yeas and nays on amendment No. 2197 and proceed to adopt the amendment by voice vote at this time. I cleared this matter with Senator HARKIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 2197.

The amendment (No. 2197) was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, before Senator DURBIN begins, may I again remind my colleagues at the conclusion of this debate, which I would expect to be somewhere in the nature of 20 minutes, we will proceed to a rollcall vote. We expect it to be 15 and 5, limited to 20 minutes, and then we are anxious to have other amendments offered to proceed at that time.

Mr. DURBIN. Would the chairman yield for a question?

Mr. SPECTER. I do.

Mr. DURBIN. I say to the chairman, I believe this amendment may be non-controversial. I do not know if there will be any time taken in opposition to the amendment. I would certainly be prepared to agree at 10:45 the vote would take place, if that would be appropriate, and then I would explain the amendment.

Mr. SPECTER. I thank the Senator from Illinois for that statement. Perhaps we ought to just formalize it in a unanimous consent agreement that the vote will occur at 10:45.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2196

Mr. DURBIN. Mr. President, I ask unanimous consent to set aside any pending amendment and call up amendment No. 2196, which is filed at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 2196.

Mr. DURBIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Health and Human Services to submit to Congress a plan for changing the numerical identifier used to identify medicare beneficiaries under the medicare program)

After section 221, insert the following:

SEC. 222. Not later than June 30, 2006, the Secretary of Health and Human Services shall prepare and submit to Congress a report outlining—

(1) a detailed plan for expeditiously changing the numerical identifier used to identify medicare beneficiaries under the medicare program so that a beneficiary's social security account number is no longer displayed on the identification card issued to the beneficiary under such program or on any explanation of medicare benefits mailed to the beneficiary; and

(2) the costs of implementing such plan.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, according to the Federal Trade Commission, identity theft is the fastest growing crime in America, striking 27.3 million Americans who have been victims in the last 5 years. Not only is identity theft increasing, it is becoming more expensive. Several years ago, I received a phone call from a credit agency at my home in Springfield, IL. They said: Richard Durbin, we knew that we would finally catch up with you.

I said: What are you talking about?

They said: It is your credit card charges with a major chain of stores that were incurred in Denver, CO.

I said: I didn't incur any credit card charges.

It turned out my identity had been stolen. It took some time, and I finally got it straightened out, but I was one of the lucky ones.

Today's victims of identity theft spend an average of \$1,400 in out-of-pocket expenses to remedy their situation, an increase of 85 percent from years past.

A recent survey indicates that identity theft cost Americans \$52.6 billion in 2004—much of it accrued by businesses forced to write-off fraudulent charges.

According to the Federal Trade Commission, seniors are more vulnerable to fraud than other demographic groups.

In 2004, consumers over the age of 50 reported \$152 million in fraud losses to the FTC, which is likely only a small fraction of the fraud that took place.

A Social Security number is a key for an identity thief. With it, he or she can open a new credit card or bank account, as well as access existing accounts.

One of the main actions Federal, State and local governments instruct you to take in protecting yourself from identity theft is guarding your Social Security number.

Many States and local governments have gone further to protect their citizens. Twelve States have passed laws restricting the use of Social Security numbers, including Illinois where private insurers are prohibited from using Social Security numbers as patient identifiers.

Meanwhile, the Federal Government continues to print Social Security numbers on Medicare cards, leaving 40 million seniors with their Social Security numbers in plain sight.

Almost one-third of identity thieves get access to your personal information by stealing your wallet, checkbook or credit card.

If a senior's wallet is stolen, access to a Social Security number would be simple. Just look on their Medicare card.

Walter Hornby from Bartlett, IL wrote to me to tell me about what he calls a "Catch-22 situation." After he fell victim to identity theft, he was advised never to carry anything in his wallet that includes his Social Security number.

Mr. Hornby wrote:

All Medicare cards have Social Security numbers emblazoned on them in large print. I am sure many seniors carry their cards with them as proof of insurance, leaving them open to identity theft.

Mr. Hornby called CMS and the Social Security Administration, but was told it would "take an act of Congress to correct this situation." That is why we are here today.

According to a recent poll by the AARP, most seniors agree with Mr. Hornby. What is the percent of adults over the age of 50 who want Social Security numbers to appear on various documents? They asked of these seniors, How about Medicare cards? Yes, 25 percent; no, 70 percent. Seniors get it. They understand their vulnerability, but they don't know which way to turn. You need a Medicare card if you go to a hospital or provider. They want to have easy access, but there sits their Social Security number which could turn out making them vulnerable to identity theft.

A reporter asked a CMS spokesperson about whether the agency plans to change beneficiary identity numbers as a result of the rise of identity theft from seniors, and here is what he said:

We're looking at all sorts of alternatives, but right now our greatest priority is implementing the prescription drug program. We

continue to recommend treating your Social Security card like a credit card.

That is a good recommendation. But if you lose your wallet or your purse, you know what might happen. When seniors write to CMS asking to have their Social Security number removed from Medicare documents, CMS sends a reply:

Medicare is required to protect individual privacy and confidentiality in accordance with applicable laws.

CMS is passing the buck. The buck stops here. It stops in Congress. We are abiding by the current law, they say, and that is good enough. But it really is not good enough.

BOB FILNER is a Congressman from San Diego, and he is a person with whom I worked and respect very much. He was attentive to this issue and raised it in consideration of this appropriations bill in the House. Congressman FILNER said, in very simple and straightforward language: No money can be spent on this bill to further issue these Medicare cards that contain Social Security numbers.

The amendment passed with a strong bipartisan vote. But if you look at it, we are afraid that perhaps it went too far—in the right direction but maybe too far. The CMS said there is no way they could cut off immediately the issuance of these cards. So we are placed in a difficult position. We know the problem, and we want to correct it. Cutting off funds and trying to do it immediately may be something that is just unmanageable and cannot be achieved.

My amendment would require the CMS to send a report to Congress by the end of next June outlining how the agency will expeditiously go about changing the system of patient identifiers and how much it will cost. We put the CMS on notice that this is a problem they need to help us solve. They can't pass the buck off to another year and another year of possible identity theft for so many senior citizens.

It is time for the Federal Government to step up the fight against identity theft. We have it in our power to make it much harder for identity thieves who hurt our Nation's seniors, and I commend amendment No. 2196, which I have introduced at this point, to all my colleagues on both sides of the aisle and ask for their bipartisan support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, the amendment offered by the Senator from Illinois is a good amendment. What has happened here is that the House-passed version of the bill requires the Centers for Medicaid and Medicare Services to remove Social Security numbers immediately in order to prevent identity theft. When the Senator from Illinois outlines the problems on identity theft, he is exactly right. The Judiciary Committee, on which both Senator DURBIN and I sit,

has legislation pending now to deal with identity theft in a comprehensive way. But the substance of what Senator DURBIN seeks is very sound.

CMS has advised that it is impossible to administer the House-passed amendment in its present form, which would require immediate removal. The amendment offered by the Senator from Illinois is a compromise to achieve greater protection against identity theft. It essentially calls for a study to give us an opportunity to work it out in a way that CMS can handle. I think the amendment is a good one, and it is agreeable to this side of the aisle as well.

We are going to proceed to a vote—candidly, so we can get some focus of attention on this bill. Our staffs have called around to the offices of all Senators seeking amendments. We have a long list of prospective amendments, but our experience has been that unless we have a vote where Senators come to the well of the Senate, which gives the managers an opportunity to talk to the many Senators who have stated an interest in offering an amendment—unless we proceed in that way, that we have protracted quorum calls without any amendments being offered.

So as previously announced, at 10:45, by the unanimous consent agreement, we will proceed to a vote. Again, I repeat, it will be a 20-minute vote: 15 minutes under the rule, and a limited extension of 5 minutes.

We have 2 minutes until the 10:45 vote is scheduled. In the interim, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Alabama (Mr. SHELBY).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 267 Leg.]

YEAS—98

Akaka	Bayh	Boxer
Alexander	Bennett	Brownback
Allard	Biden	Bunning
Allen	Bingaman	Burns
Baucus	Bond	Burr

Byrd	Grassley	Murray
Cantwell	Gregg	Nelson (FL)
Carper	Hagel	Nelson (NE)
Chafee	Harkin	Obama
Chambliss	Hatch	Pryor
Clinton	Hutchison	Reed
Coburn	Inhofe	Reid
Cochran	Inouye	Roberts
Coleman	Isakson	Rockefeller
Collins	Jeffords	Salazar
Conrad	Johnson	Santorum
Cornyn	Kennedy	Sarbanes
Craig	Kerry	Schumer
Crapo	Kohl	Sessions
Dayton	Kyl	Smith
DeMint	Landrieu	Snowe
DeWine	Lautenberg	Specter
Dodd	Leahy	Stabenow
Dole	Levin	Stevens
Domenici	Lieberman	Sununu
Dorgan	Lincoln	Talent
Durbin	Lott	Thomas
Ensign	Lugar	Thune
Enzi	Martinez	Vitter
Feingold	McCain	Voinovich
Feinstein	McConnell	Warner
Frist	Mikulski	Wyden
Graham	Murkowski	

NOT VOTING—2

Corzine
Shelby

The amendment (No. 2196) was agreed to.

Mr. SPECTER. I thank my colleagues for the promptness on that vote. The report was made to cut off the vote at 1 minute 6 seconds in excess of the 20 minutes, which is pretty good for voting in this Senate. We will hold the votes to 20 minutes.

We have the Senator from Massachusetts lined up to offer an amendment on Pell grants. We anticipate voting on it at 2:15, but they will have time before the customary adjournment at 12:30 for the policy luncheons to start debate on another amendment.

I have talked to a number of Senators about offering an amendment if that opportunity presents itself. We do want to push ahead.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

AMENDMENT NO. 2213

Mr. KENNEDY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 2213.

Mr. KENNEDY. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the maximum Federal Pell Grant award by \$200 to \$4,250)

At the end of title III (before the short title), insert the following:

SEC. _____. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$836,000,000 for carrying out subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070). Such additional appropriation shall be used to increase the maximum Pell Grant for which a student shall be eligible during

award year 2006-2007 by \$200 to \$4,250, notwithstanding the maximum Pell Grant amount provided under the heading "STUDENT FINANCIAL ASSISTANCE" under this title.

Mr. KENNEDY. Mr. President, this is a very modest amendment. It is targeted to a program which is a lifeline to millions of hard-working American families in the form of education—the Pell grant. The Pell grant is the major instrument by which the Federal Government provides help and assistance to needy families in this country. The median income among families who benefit from the grant is about \$24,000 a year and the median income of independent students who receive the grant is less than \$13,000 per year. These families need help and assistance in going to college.

This particular amendment will raise the Pell grant from \$4,050 to \$4,250. The cost of the amendment is approximately \$800 million.

I remind our colleagues of one of the great statements made in this country by an American Founding Father, John Adams, whose 270th birthday we celebrate this week. He was the architect of the Massachusetts State Constitution, written in 1780. Many of the ideas from that constitution have been accepted in constitutions all over the country. The one aspect that has been replicated in every State constitution is the State's commitment to educating children. It is said so well in the Massachusetts Constitution:

It will reward its patron and benefactors by shedding its benign influence on the public minds. Laws for the liberal education of youth, especially of the lower class of people, are so extremely wise and useful that to a humane and generous mind no expense for this purpose would be thought extravagant.

That is what this amendment says. We are saying this Nation, at this time, cannot afford to lose these young minds. We have 400,000 young Americans who are qualified and would be accepted to 4-year colleges on the basis of their academic records if they had the resources to be able to attend. It is an indictment of our Nation if we fail to provide these young people with an opportunity to receive an education, participate in our society, and give something back to our country. We cannot afford to lose them. The Pell grant is the indispensable link between these families and an education.

This Nation has always responded when challenged in the areas of education. In response to the Industrial Revolution, we made a national commitment to expand access to high schools, and America prospered. It was an extraordinary commitment and has made an extraordinary difference in the success of this Nation, both commercially and militarily.

At the time of World War II, we had 12 to 14 million Americans who served—many for 3, 5, 6, 7 years—in the Armed Forces of our country. When they returned, President Roosevelt offered the GI bill. That would open the doors of opportunity for education. For

all who came back from World War II, who had been out fighting for our Nation, they would have the benefits of an education. By the millions, they took advantage of the GI bill.

In reviewing the investment made by this Government, the figures show for every \$1 invested in education, it was returned seven times by those who received or benefitted from the GI bill. We extended education benefits in the time of the Vietnam war. Also, when challenged technologically in 1957 with the launch of Sputnik—we had a Republican President, Democratic Congress—we recognized the need to dramatically improve math and science achievement in this country. We passed the National Defense Education Act to strengthen both our national security and our global competitiveness, and the Federal investment in education doubled, with a strong focus on math and science education.

At that time the Federal Government was spending 5 cents out of every \$1 on education. Now we are at 1½ cents, and going south. Do we understand that? Only 1½ cents out of every Federal dollar is spent on education, and we are going, effectively, south. I think this is not the kind of priority the American people expect and the American people want. This is a very modest amendment, especially against that background. The amendment raises the maximum Pell grant by \$200.

Let me first show what has happened to the Pell grant over the period of recent years. Some of us remember the great debates we had in the 1960s. One of the principal issues in the 1960 campaign was: Should we provide help and assistance to young people in the form of education? That was heavily debated in the Presidential debates at that time. A judgment and decision was made when the votes were in and President Kennedy won. One of the first things he did was submit a higher education bill, which was eventually passed in 1965.

There was a great debate at that time: Should we provide help and assistance to the child or should we provide help and assistance to the university? The decision was made that we would provide it to the young student so the student would have the flexibility to be able to go to the college of their choice.

In 1965, when the higher education bill was passed, the Federal funding for education was close to 80 percent in grants and 20 percent in loans, for students who qualified for grants. Those were families in the lowest income bracket. The Pell grant was used extensively and benefitted millions of young people.

This chart shows what has happened with the Pell grant between 1985 and 2005. It shows the shrinking buying power of the Pell grant over the past 20 years. We find that during the 1985-1986 school year the maximum Pell grant covered 57 percent of the cost of attendance at a 4-year public institution.

We see, as the cost of education has gone up, that the purchasing power of the Pell grant has steadily declined. In the 2005-2006 school year the maximum grant covers only 33 percent of the cost of college attendance.

Look at this. This is a chart that shows the gap between the maximum Pell grant and the cost of attending college, which continues to increase. This is a reflection of the gradual increase in tuition over the recent years, from 2001 and 2002 up to 2005 and 2006. This shows the gap—now nearly \$8,100. Here, this green line shows the maximum Pell grant which has been effectively stable during that period of time, while the cost of attending a 4-year public college has been going up and up and up, putting enormous pressure on these families who have limited opportunities and resources.

The Federal Government provides Pell grants. It provides Stafford loans. States and local communities also provide help and assistance to students. Here is an indication of what is happening in our States. This chart reflects the State and local funding per full-time student at public institutions, which has declined some 16 percent since 2001.

What all of this says is that the purchasing power of the Pell grant has gone down. There are hundreds of thousands of children who are not going to college because they are unable to afford it. We have seen that the help and assistance given to needy students has dropped at the State and local levels, but the costs have been continuing to go higher and higher.

This amendment requires a judgment and decision about a nation's priorities: whether we believe, as a nation, in the importance of supporting education and making education available to all young people, and for which we are prepared to support this very modest increase.

It is useful to make a judgment based upon what we think we need here in the United States. But it is also relevant to get some idea about what is happening in other countries that are increasingly competing with the American economy. Here is an example. The numbers of engineering graduates in China and India far outpace that of the United States. In China, it is 600,000; in India, 350,000; in the United States, 70,000, and many of these are foreign students who, more likely than not, will be returning to their home countries.

We cannot expect to have a first-rate economy with a second-rate educational system. It does not work that way. Not only will we not have a first-rate economy, but we will not have a first-rate military with a second-rate educational system.

This is not going to be the answer to all of our problems in terms of education. Later in the debate we consider other amendments to increase support for education and to improve math and science achievement. But this amendment is essential to ensuring every

American has an opportunity to go to college.

Fewer and fewer good jobs are available for those without a college education. When I first came to the Senate, the greatest employer down in Quincy, Massachusetts was the Quincy Shipyard. I would say 90 percent of those workers had a high school education. They had a pretty good middle-class life. They worked hard. They got some time off to spend with their families. More often than not, they would be able to take a couple weeks with their children over the course of the summertime. There was a great sense of community. There was great involvement in all of the activities in the community, and people were able to make a very decent and good living, just as their parents had, working at that Quincy Fore River Shipyard.

Generally speaking, if you look back 40 or 45 years ago, an individual had one job. More often than not, they kept that job their whole life. Now we know that workers entering the workforce today will have eight or nine different jobs during their lifetimes. Investing in education and continuing training has to be a lifelong national commitment.

This particular amendment is focused on those who are just entering the educational process after they get out of high school and those who are from low-income families. We need the skills of those young people. We cannot, as a nation, afford to let those skills go untapped. We cannot effectively write off a whole segment of our Nation because it's too expensive to go on into higher education. And too often, that is what is happening.

We have all seen the statistics about the increased cost of gasoline, the increased cost of prescription drugs, the increased cost of energy, particularly in my part of the country. We have talked about that and debated it here in the last few weeks.

But we have also seen at other times that those in the basic middle income, even though they have seen very dramatic increases in productivity, in what they have been able to produce, have not seen a significant increase in their wages or in their family income over the period of these past years. That is a fact. That has been a reality. So there is increasing pressure.

We find out that even for those families who are able to patch together the means to get to college, even with the Pell grants today, more often than not, it takes the average family—even with their limited ability to borrow—over 20 years to pay back those loans that were needed to meet the cost of getting their child into higher education.

We are trying to say to Americans, to children of hard-working American people, that we recognize that education is a key to opportunity in this country. Our chart demonstrates the difference between the lifetime earnings of individuals with college degrees and those without them \$1 million over a lifetime.

A key value in our society is fairness. The reality is, we, as a country, can well afford—in the richest nation in the world—to offer a helping hand to those who have limited incomes in the form of Pell grants. So this is an issue of fairness. It is an issue of opportunity.

It is also a question of competitiveness. If we do not have a solid educational system, we are not going to be a first-rate nation commercially or militarily. At a time when we are feeling the increasing forces of world competition, we see what is happening in other countries. Now we are not just exporting blue-collar jobs out of the heartland of our Nation; we are finding, increasingly, that high-tech jobs are not only moving out, but that many of our high-tech industries are moving out to take advantage of the training and education in other countries, particularly in India, and other places in the world.

So it is about fairness. It is about opportunity. It is about competition.

Finally, as I mentioned, it is about national security. We need to have in our military the best-trained, best-led troops. But they also need the best in terms of technology. This requires well-trained and educated personnel. Unless we have a talented pool of college graduates, our military, our intelligence community, all of our employers, and our Nation are going to suffer. And we won't have that talented pool unless we provide opportunities for our young people. This amendment takes a step in the right direction.

Mr. President, \$200 does not sound like a lot when we are talking about the billions of dollars in this budget. But today we know that a \$200 increase in student aid would mean that hundreds of thousands of students would be able to afford college. Two hundred dollars does not sound like a lot, but it is a lot to low-income families. It is a lot for millions of working families, as they are looking at their bills and trying to make adjustments and trying to make college a priority. It is a lot, and it is something we ought to respond to in this particular appropriations bill.

Mr. President, I yield the floor.

Mrs. CLINTON. Mr. President, I am pleased to join with my friend and colleague, Senator KENNEDY, in offering an amendment to increase the maximum Pell grant award by \$200. If approved, this amendment would result in a \$4,250 maximum Pell grant—an amount well below what is needed, but still important in addressing the crisis of lack of college affordability.

The College Board reports that students in the college class of 2010 will pay more, on average, for their postsecondary education than any other class in American history. The average 4-year private school now costs \$21,235 each year and the average 4-year public institution costs \$5,491 a year. And every year college costs are increasing at a rate faster than inflation. Last year the Consumer Price Index in-

creased by 5.2 percent. But the cost of private 4-year schools went up 5.9 percent and public schools went up 7.1 percent.

A Pell grant increase is a step in the right direction to make college more affordable. Over the last few decades, college financial aid simply hasn't kept up with the rising cost of attendance. Twenty years ago, in the 1985–1986 school year, the maximum Federal Pell grant covered nearly 60 percent of the cost of the tuition, fees, room, and board of a 4-year public university. Today the maximum Pell grant covers less than 40 percent of those costs. More students take out loans and more are falling into debt. Fifty percent of today's college students graduate in debt, owing an average of \$15,500. Many students owe even more. At Pace University in New York, 55 percent of students graduate owing an average \$28,695. At New York University the debtloads are alarmingly similar. And at Hartwick College, nestled in the foothills of the Catskills Mountains, 72 percent of students graduate owing an average of \$31,206, the second heaviest student debt-burden of any liberal arts college in the Nation.

Over the next 6 months, students in America's high school class of 2006 will decide whether or not to go to college. We need to make sure that students can afford college, not frighten them with a mountain of debt.

More and more, a college degree is essential in our modern economy. And helping students pay for college pays for itself. According to the College Board, the average college graduate earns 73 percent more over his or her lifetime than the average high school graduate. College graduates pay 78 percent more in taxes to public coffers, and they are less likely to draw on public resources for programs like unemployment insurance, food stamps, and welfare. College graduates are less likely to be incarcerated, and more likely to volunteer in their communities, more likely to vote, more likely to raise kids ready for school, and more likely to start businesses that create jobs.

We need to make sure every student who wants to go can afford college. It's good social policy to make higher education affordable, it's good economic policy, and it's good budgetary policy. Increasing the maximum Pell grant is an essential part of making college affordable. So, again, I want to thank Senator KENNEDY for raising this critical issue and working with me to offer this amendment and I urge my colleagues to vote in favor of it.

Mr. KOHL. Mr. President, I rise today in strong support of the Kennedy amendment. I am proud to cosponsor this amendment, which will increase the maximum Pell grant by \$200—increasing the current \$4,050 maximum award to \$4,250. This modest increase is crucial to our efforts to ensure equality of access to higher education for all students.

The Pell Grant program is the largest need-related post-secondary student grant program administered by the Department of Education. However, for three consecutive years the maximum award has remained stagnant, accounting for less than 40 percent of the costs of attending a public, four year institution. Pell grant recipients have a median family income of only \$15,200, so these grants truly target the most needy students. This amendment would provide an additional \$10 million in need based aid to Wisconsin and give 1,360 new students the opportunity to make the dream of higher education a reality. Our Nation's well-being depends on our ability to provide greater access to higher education, regardless of financial means. I hope my colleagues will support this important amendment and provide the funding that our students need to succeed.

The ACTING PRESIDENT pro tempore. The Senator yields back.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have listened to the presentation by the Senator from Massachusetts, and I do not disagree with anything he said. When he talks about the need for more education funding, I agree with him. When he talks about the importance for the productivity of the United States on the economics sphere, when he talks about the importance of education for military preparedness, he makes very valid points. And when he talks about fairness, those are very important considerations.

I applaud the work he has done in the field of education over his very distinguished career. He served for many years as chairman of the Senate Committee on Health, Education, Labor, and Pensions, and now he is the ranking member. He has addressed these issues of education funding year in and year out with logic and passion.

As chairman of the Appropriations subcommittee, the job I have, and our subcommittee does, and that of our excellent staff, is to make allocations, with a budget of \$145 billion, as to where we are going to allocate the money.

The Senator from Massachusetts has asked for an increase of \$836 million, but there is no offset. That means he has not found something in a budget of \$145 billion which would pay for his amendment which would increase Pell grants by \$836 million. I would like to increase Pell grants by \$836 million myself. The fact is, I would like to increase them by more than that, if I could make the allocation. But the subcommittee is limited by what its allocation is and what the budget resolution provides. That is \$145 billion to allocate among all the education programs sponsored by the Federal Government, all of the health programs sponsored by the Federal Government, all of the programs of the Department of Labor, and about \$10, \$11 billion on related agencies.

It is important to note that this budget contains \$812 million over last year's budget. So that in looking at the Pell grants and in coming to a total figure of \$13.177 billion, a very significant increase of \$812 million over last year which is hard to find in this budget. But that is as far as we could stretch to provide the money.

When you talk about Pell grants, this has been a very high priority item for this Senator. I took over the chairmanship of the subcommittee after Republicans took control of the Senate in 1994. In 1995, the Pell grant awards were \$2,340. We have increased them every year: from \$2,340 in 1995 to \$2,470 in 1996; to \$2,700 in 1997; to \$3,000 in 1998; to \$3,125 in 1999; to \$3,300 in the year 2000; \$3,750 in 2001; \$4,000 in 2002, and \$4,050 in 2003. We had to maintain it at the same level in 2004; in 2005, the same. That is where we stand. We had to allocate last year \$4.3 billion to pay off an estimated shortfall in the Pell grants. So we have paid a lot of attention to Pell grants and have put this on a very high priority basis.

There are quite a number of other programs in our education budget which are directed to the same kinds of considerations so eloquently articulated by the Senator from Massachusetts. Student loans are a very big point. This is well known. I think it is worth noting that the new student loan volume for 2006 fiscal year is in excess of \$62 billion, which is \$10 billion over the amount which was available in fiscal year 2004.

It is also important to note that there are a number of other programs which are directed to the same beneficiaries who are recipients of the Pell grants. We have, for example, \$805 million for the Supplemental Educational Opportunity Grant program, which is an increase of \$26 million. We have \$66 million for loan cancellations. The Perkins loan program supports more than \$1 billion in low-interest loans to undergraduate students, and there is funding for loan cancellations. We have \$990 million in the Federal Work-Study Program. We have over \$65 million for Leveraging Education Assistant Partnership programs. We have quite a number of programs.

Tax credits and deductions in 2006 are valued at a savings of \$3.2 billion for students and families through the HOPE Scholarship tax credit; \$2.1 billion under the Lifetime Learning Credit; \$1.8 billion for the above-the-line deduction on higher education expenses; and \$810 million in deductions for interest paid on student loans.

These are a variety of programs which are targeted and directed at people who need help, who have loans, who can't pay their loans. None of that is to say that the Pell grants are not vital and that we wouldn't be in a preferable position nationally if we had the funds to increase the Pell grants.

If the Senator from Massachusetts or anyone has any idea as to how to stretch these dollars further, I am in-

terested to hear. If anybody has an idea of increasing funding in any particular line as a priority over some of the other \$145 billion we have in this bill, I would be interested to hear and weigh that too. But on the basis of this record, we have stretched the dollars as far as we can. As much as I agree with everything the Senator from Massachusetts has said, and as much as I would like to raise the Pell grants, the budget resolution does not give me, as chairman, the discretion to do so.

For the edification of anybody who may be watching on C-SPAN 2, listening to this debate—and I have at least a few relatives listening—the next movement is to raise a point of order, although this may not be the appropriate time with further debate to take place. But I do think it is in order now to propound a unanimous consent request which will formalize the informal agreement which Senator KENNEDY and I arrived at earlier for 2:15 vote.

I ask unanimous consent that at 2:15 today, the Senate proceed to a vote in relation to the Kennedy amendment on Pell grants; provided further, that there be 2 minutes equally divided for debate prior to that vote and that no second degree be in order to the amendment prior to the vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SPECTER. We may consume all the time until 12:30, but there is a possibility that we may not. So if any other Senator has an amendment to offer, I urge that Senator to come to the floor at this time so that we can utilize all of the floor time for debate on this important bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I see the Senator from New Hampshire on the floor. As I understand, he wanted to be able to offer amendments.

Mr. SUNUNU. The Senator is correct.

Mr. KENNEDY. That would not upset the current situation. I am glad to yield to him.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

AMENDMENT NO. 2214

Mr. SUNUNU. Mr. President, as the Senator from Massachusetts indicated, I would like to rise very briefly to offer two amendments and then allow the Senator from Massachusetts to continue with the remarks on his own amendment. I will offer a few remarks, but hopefully we can work out the issues that might exist on these two amendments.

I ask unanimous consent that the pending amendments be set aside that I might call up amendment No. 2214.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. SUNUNU] proposes an amendment numbered 2214.

Mr. SUNUNU. I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for the funding of the Low-Vision Rehabilitation Services Demonstration Project)

After section 221, insert the following:

SEC. 222. For carrying out the Low-Vision Rehabilitation Services Demonstration Project by the Secretary of Health and Human Services, an additional \$5,000,000: *Provided*, That funds made available for general department management under the heading General Department Management under the heading Office of the Secretary are reduced by \$5,000,000.

Mr. SUNUNU. Mr. President, this amendment calls for \$5 million to be allocated to a vision rehabilitation therapy demonstration program under Medicare. It is an amendment that is fully offset. This is a demonstration program that was established under report language crafted by Chairman SPECTER last year. This is an opportunity to give seniors additional independence by helping to cover some of the cost of vision rehabilitation therapy for those who have vision impairment. It helps them to do the very basic things of getting around their home, getting outside the home, doing errands. By maintaining this independence by dealing with vision problems, we reduce the risk of injury and the costs of injuries associated with vision impairment.

As I indicated, it is offset. It is an existing program. This additional \$5 million in funding would ensure that the demonstration is conducted across a number of States, a number of cities, so that CMS has the data it needs to judge the efficacy of the program.

I encourage my colleagues to support the amendment.

AMENDMENT NO. 2215

Mr. SUNUNU. Mr. President, I ask unanimous consent to set the pending amendments aside, and I call up amendment No. 2215.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. SUNUNU] proposes an amendment numbered 2215.

Mr. SUNUNU. I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase funding for community health centers)

At the appropriate place in title II, insert the following:

SEC. _____. Amounts appropriated in this title for community health center programs under section 330 of the Public Health Service Act (42 U.S.C. 254b) shall be increased by \$198,560,000. Notwithstanding any other pro-

vision of this Act, amounts appropriated under this Act shall be reduced on a pro rata basis by \$198,560,000.

Mr. SUNUNU. Mr. President, this second amendment deals with community health center funding. Community health centers have been supported broadly in Congress and very broadly by the administration. What this amendment does is bring the appropriate level of funding for community health centers in this bill up to the level requested by the President. Less than 25 percent of the applications for new community health centers were funded last year. That indicates a need for continued significant levels of funding.

Health centers are the first line of defense for those who are served by Medicaid, for those without insurance, and for those who are underinsured. Community health centers provide a very strong, competent, qualified level of service. They are absolutely instrumental in today's health care environment.

This brings the funding up to the President's requested level. It is offset so it is not subject to a point of order. This bill is about setting priorities. I respect the challenges the chairman and the members of the subcommittee have to deal with in setting priorities. It is never easy. I provide a fractional across-the-board reduction to support this additional \$200 million, but I am certainly willing to work with the chairman and members of the subcommittee to find another appropriate offset. I hope he and the Members of the Senate will support my amendment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the Senator from New Hampshire for coming to the floor to offer these amendments to move the bill along.

His amendment for \$198.5 million for community health centers is certainly directed to a good program. These are very important health centers which are of great assistance to the American people. In the allocations of the funding, we have allocated for the next fiscal year in excess of \$2 billion, \$2,037,871,000. The figure I gave was the request, but the allocation is \$1,839,311,000, which is an increase of \$105 million over last year. Similar to the considerations on the amendment by the Senator from Massachusetts, the subcommittee and the full Appropriations Committee have given deliberation to the various priorities and believe this is the right figure.

It is a customary approach to suggest an across-the-board cut. If you fractionalize it, it comes out to a small figure. But still, it is important. It comes out of the National Institutes of Health. It comes out of the Centers for Disease Control. It comes out of many programs which are, I am at a loss as to whether to say, barely adequately

funded or underfunded or not sufficiently funded, but they can't spare the money. This is a matter of priorities. When the Senator from New Hampshire says he would be glad to consider some other offset, I would be pleased to work with him on another offset. But in order to have another offset from some other allocation, there has to be proof and a showing that adding \$198.5 million for community health centers is more important to America than where we have allocated it. And we have not picked these figures with a dartboard, Mr. President. We haven't pulled them out of the air. There has been laborious effort going through the history of these programs—how many we have, what we can cut, what we can add to. It is balanced off against many factors, including the Pell grants we heard about. So that it is necessary to oppose the amendment, as much as I would like to see more money in community health centers and many other lines.

With respect to the effort to add \$5 million to the rehabilitation vision amendment, that, again, is another good amendment, but, again, it is a matter of allocation and where we will get the money. The Senator from New Hampshire would like to discuss the matter further. I think that is always useful, and I am prepared to undertake that to see if some accommodation can be made short of an outright opposition to the vote. So we will pursue that.

I do thank him for coming to the floor early in this debate and advancing ideas to help us move the bill along, and that inspires me to ask 1 of his 97 colleagues, aside from the 3 of us who are in the Chamber now, to come to the floor with other amendments so we can keep this bill moving.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Massachusetts.

AMENDMENT NO. 2213

Mr. KENNEDY. Mr. President, I ask unanimous consent that the following be added as cosponsors of my amendment: Senators CLINTON, SCHUMER, LIEBERMAN, MIKULSKI, KERRY, REID of Nevada, LAUTENBERG, DAYTON, CANTWELL, KOHL, BINGAMAN, and DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, first of all, I thank the Senator from Pennsylvania. He has worked hard in terms of prioritizing education, and certainly it has been a priority of his service in the Senate and also on the Appropriations Committee. I appreciate that kind of commitment, but he tells us that we only have a given amount of resources to allocate.

The Senate voted to add \$5.4 billion to the Budget Act. When we voted on that issue earlier this year, it was \$5.4 billion more for education—for education. That was one of the few amendments that passed when we had the debate on the Budget Act—\$5.4 billion more for education. And when the

budget came back, it did not come back with that \$5.4 billion. The House had no increase for this purpose. The conference committee did not split the difference and come back with half. They came back with zero. But a majority of the Members of this body voted for that increase. Now we have another chance, and here we are just asking for \$200 per Pell grant for the neediest students in the country.

The Senate, when it had its opportunity on the budget, supported a very enhanced funding level for higher education, but it went over to the Budget Committees behind closed doors and came out with zero. So he is right. In this particular budget that he has been allocated there is not the flexibility to very substantially enhance support for education; nonetheless, I think this amendment reflects the priorities of the Senate in the earlier part of the year and reflects the priorities of the American people.

I am reminded that it isn't just the families who are affected. It isn't just the education community. The business community also strongly supports increased access to higher education. Business leaders agree that education is essential to our competitiveness. Listen to what the Committee for Economic Development says in a recent report:

Education has been a major source of productivity growth in the United States during the postwar era. Education increases productive human capital, which in turn contributes to overall increases in economic growth. Increases in a country's average level of educational attainment by 1 year can generate sizable increases in the annual economic growth, as much as 6 to 16 percent.

Look at what happens, Mr. President. Low income students enroll in college at less than half the rate of their high-income peers. These are students who are qualified for college—who worked hard, took rigorous courses and prepared for college. And once they enroll, only 6 percent of those low-income students receive a BA compared to 40 percent of those in the higher income levels. We are talking about children with comparable levels of academic achievement. Why is this happening? They are equally qualified students, but they have to leave college because of financial need. That is what this amendment is addressing. It is a question of priorities. We have the vote. If we are able to get the votes on the floor of the Senate, this will happen. This must be a priority.

It certainly is for Natalie from Turners Falls, MA, a single mother enrolled in college for the first time, who always lived below the Federal poverty line. She writes that without Pell grants "I would be stuck in this way of life with no 'light' to look forward to. . . . Knowledge is power and education is key."

It certainly is for Mary Susan from Sacramento, CA, who went to college and became a teacher. She writes: I would not have been able to go to college to become a teacher if I didn't

have a Pell grant. I have been telling students at the low-income school I work at that they can go to college, too, if they study hard and get good grades. But if the Pell grants are not available, many will not be able to go to college.

Sara from Pensacola, FL, received Pell grants when she was a single mother enrolled in community college and later a 4-year college. She received her BA in English and is now employed making four times the income she made before earning her degree.

She writes: The Pell grant saw me through college. Without it, there was no way I could afford to go to school. The Pell grant works.

Yvonne from Port Richey, FL, served in the Air Force, then held a civilian job which she lost after September 11. She is now a single mother back in school. She writes: If it were not for the Pell grants I would not be able to return to school and be retrained for a new career.

Jen from Denver, CO, writes: The only way I was able to attend college was with grants and loans. Sixty thousand dollars later I have a college degree. Obviously, with loans this high I was not fortunate to have parental help. The \$2,000 a year I received from the Pell grant was substantial even though so little. To take this away from students is a tragedy. Cutting funding for education of any kind is wrong.

That is a person with a very modest Pell grant. You see what a difference a few dollars makes.

Scott in Georgia received Pell grants during college, which helped him put himself through college. He writes: Pell grants gave me the ability to focus more on school and work less part-time hours. I am extremely grateful that the Pell grant ensured that I didn't make any rash decisions based on lack of finances.

I am sure the Senator from Pennsylvania has had the same experience I have had. You go to so many of these community colleges where these Pell grants offer the opportunity for students, and during the break time students—instead of talking about their books, instead of talking about lectures—are talking about their next job or where they are going to get the next job and what it is like to be working in that particular job. That is what is happening increasingly as our young gifted, talented people are being constantly squeezed. Our country is becoming more divided between the haves and have-nots. The Pell grant, which has been the key to opportunity, has always been something that has kept the door constantly open for so many young people.

As I say, it is the key to opportunity. It is the key to competitiveness, the key to national security. And it is the real key to fairness. Education ought to have a very special place in our national priorities.

I appreciate what the chairman has done in the area of education, but it

does seem to me that the Senate as a whole should reflect that kind of high priority by ensuring expansive opportunities so our young people who have gifts and talents are able to get into school—public and private universities, community colleges, and others—and they are able to be a part of the American dream.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, just by way of a very brief comment as to the contentions raised by the Senator from Massachusetts, I recall his amendment on the budget resolution for \$5 billion. I recall it very well because I voted for it. As I recollect it—we are checking the record now—it was a one-vote margin. There was considerable consternation about not having that amendment go to conference. I stayed with the Senator from Massachusetts on the \$5 billion because I share his concern for education. And then it went to conference, as our procedures moved it through, and it was dropped. So Senator KENNEDY's \$5 billion with which I agreed is not there anymore. And if it were there, we would have a good bit more money to add to the Pell grants. If I could find more money for the Pell grants, I would like to. If we could replay the cards of what happened on the \$5 billion, I would like to do that, too. But I am confronted with a situation where I have an allocation that came through the process of the Senate, and I have to work within that framework. The priorities are established as best we can.

I think it is appropriate now for Senators who have the floor—we are going to vote at 2:15—to raise the point of order so it is on the record.

Mr. President, in anticipation of the vote at 2:15 for purposes of the record, I do raise a point of order under section 302(f) of the Congressional Budget Act, as amended, that the amendment provides budget authority and outlays in excess of the subcommittee's 302(b) allocation under the fiscal year 2006 concurrent resolution on the budget and therefore is not in order.

Mr. KENNEDY. Mr. President, pursuant to section 904 of the Budget Act of 1974 I move to waive the applicable section of the Budget Act in reference to the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The yeas and nays are ordered.

Mr. SPECTER. Mr. President, we have 33 minutes between now and the time of our policy luncheons when it is our practice to adjourn, so I would encourage my colleagues to come to the

floor to offer an amendment. In the absence of any other Senator in the Chamber seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

TIMEFRAME FOR U.S. MILITARY MISSION IN IRAQ

Mr. FEINGOLD. Mr. President, I had the opportunity to give three speeches on the floor so far about issues concerning the fight against terrorism globally and the relationship of the Iraq war to that struggle and that battle.

Today, I come to the floor to talk about why I think we need a timeframe for the withdrawal of U.S. troops from Iraq. I do not mean a rigid timetable, nor do I mean a timetable that is not connected to clear and achievable benchmarks. But what we do need is a public, flexible, realistic timetable that will tell people when and how we expect to finish the military mission in Iraq.

As my colleagues may know, I have suggested a target date of December 31, 2006, the end of next year, for the completion of our military mission. Today, I want to talk a little bit about why a flexible timetable for withdrawal will help make the U.S. stronger and our enemies weaker.

Some have argued that a timetable is designed to appeal to the American public, that it has no relationship to our security or to our achieving policy goals in Iraq. Actually, it is just the opposite. I proposed a timeframe because I think it has everything to do with improving our national security strategy.

Our fundamental national security goal must be to combat the global terrorist networks that attacked and continue to threaten the United States. An increasing number of military experts and members of the public have concluded that our military presence in Iraq is not consistent with that goal and that it is, in fact, undermining that goal. I think it has become increasingly clear that we have created a breeding ground for terrorism in Iraq and that the apparent indefinite presence of tens of thousands of U.S. troops is often fueling, not dampening, the insurgency in that country.

Melvin Laird, a former Republican Congressman from my State of Wisconsin, who was the Defense Secretary under Richard Nixon, said:

We owe it to the rest of the people back home to let them know there is an exit strategy. And more important, we owe it to the Iraqi people. Our presence is what feeds the insurgency. And our gradual withdrawal would feed the confidence and the ability of average Iraqis to stand up to the insurgents.

GEN George Casey, the commanding general of the allied forces in Iraq,

made a similar point in testimony to Congress last month. He testified that: . . . getting Iraqis into leading the counter-insurgency effort as they are capable will allow us to gradually reduce the visibility of coalition forces across Iraq and, ultimately, as conditions warrant, to begin to reduce our presence in Iraq, taking away an element that fuels the insurgency; that is, the perception of occupation.

He went on to call reducing the visibility and presence of coalition forces a key element of our overall counter-insurgency strategy.

Melvin Laird and General Casey know that our presence has fed this insurgency, making it easy for the insurgents to convince new recruits that we are there to stay.

Mr. President, I know, you know—we all know—that is not the fault of our men and women in uniform who are serving courageously; it is the fault of the administration for sending them into battle without a clearly defined or well-thought-out mission.

In February, I asked one of the top allied commanders in Iraq when I was there in the Green Zone what would happen if we suggested to the world that there is a timeframe for achieving our military mission. This is what I asked him. His response to me, which of course was off the record, was that, “nothing would take the wind out of the sails of the insurgents more” than providing a clear public plan and timeframe for a remaining U.S. mission.

The President himself in June told the Nation that he did not support putting more troops into Iraq because, he said, “sending more Americans would suggest that we intend to stay forever.”

Even the President has acknowledged the problem with feeding the insurgency if it appears our presence there is permanent, or ever expanding. I think that same logic applies to the President's refusal to issue a public timetable.

To the extent that we do not explain what our military goals in Iraq are and when we hope to achieve them, we are playing into the hands of the insurgents. The insurgents are motivated by our presence and they feed off conspiracy theories and suspicions regarding American intentions. And, of course, our brave service-members and their families deserve some clarity about how long they are likely to remain in Iraq.

The President is one of an ever-narrowing group of people who believe that a timetable works against our goals in Iraq. Military experts, people I talked to in Iraq, and the American people increasingly agree that the administration's refusal to even suggest a timetable for meeting our military goals in Iraq is feeding the insurgency.

The lack of a timetable doesn't just feed the insurgency, it also discourages Iraqi ownership of their own political process. By making it clear that the U.S. will not be there indefinitely, we will help the Iraqis move toward the

real political independence they need and dispel some of the cynicism about American intentions that empowers some of the more extreme elements of Iraqi society.

Finally, a timetable is important because it enables us to devote more resources to the other national security issues that demand our attention. To fight the global terrorist networks that threaten the U.S., we need to focus energy and resources on countering emerging terrorist tactics, dealing with the threat of “loose nukes,” and repairing the damage to our Army, to name just a few urgent priorities. Drawing down U.S. troops in Iraq will allow us to focus on these priorities. It is time to make sure that our Iraq policy is advancing, not undermining, our national security goals.

The administration and its allies have offered various arguments as to why they can't or won't come up with a clear plan and timeline for military success in Iraq.

One argument has been that the U.S. pullouts from Somalia in the 1990s and Lebanon in the 1980s emboldened terrorists and others who oppose American interests. To pull out of Iraq without having put down the Iraqi insurgency once and for all would supposedly be another sign of American weakness.

But our decisions about national security shouldn't be made based on conjecture about the “message” that some might perceive. No one, including the Bush administration, can know how the insurgents in Iraq might feel about the withdrawal of U.S. troops from Iraq. We do know, however, that right now we are making the insurgency stronger with our indefinite presence in Iraq, and our failure to articulate a timetable for military withdrawal. We also know that our commitment of resources—money, troops, time—to Iraq is detracting from our ability to focus on our most pressing national security goals and stretching our military to the breaking point. Terrorists will not feel particularly emboldened about us putting our Iraq policy on track so that we can focus our attention on eliminating them. The President suggests that if he issues a timetable for how long he expects U.S. troops to remain in Iraq, our enemies will think that we are weak. But without a plan to finish our military mission, our enemies will know that we have fallen into a trap and we can't figure out how to get out. That is what they will know if we do not apply some common sense to this situation.

When I pressed Secretary Rice on the need for a timetable last week, she responded that “we'd like our discussions of withdrawal and of bringing down the numbers of forces to be results-based rather than time-based.” But of course a timetable should be results-based. As I have said over and over, any timetable needs to be flexible and needs to be tied to achievable benchmarks. The point is to have some idea of when

those benchmarks, those results, can be achieved. Without such a timetable, and without clear, realistic benchmarks, we cannot hold ourselves accountable for meeting our goals. Nor can we give our troops and the American people the clarity they deserve about their mission.

The Bush administration, with all these arguments, has succeeded in one thing: in intimidating people into not uttering the words "timetable," or "timeframe," or "target date" for finishing the military mission. But with the words of Republicans like Melvin Laird and military leaders like General Casey, more and more people understand that having a flexible timetable will strengthen our national security. This is not a timetable where the objective is troop withdrawal, the objective is to focus on our national security needs and the timetable is one step towards that goal. A timetable is not about domestic politics—it's about undercutting insurgency recruiting and unity, encouraging more Iraqi ownership and responsibility, and creating space for other important U.S. national security efforts.

I again emphasize that the timeframe I have proposed is a flexible one—not a drop-dead date, not a deadline, not a formula for "cut and run." It is linked with a call for more clarity about what we want the U.S. military to achieve in Iraq.

Please note that I am only referring to a timeframe for the military mission in Iraq, not for our broader political and other missions in Iraq. We all understand that our engagement in Iraq will not end with the U.S. military mission. We will still have a great deal of tough diplomatic work to do in Iraq well after the bulk of U.S. troops leave, and probably some serious security cooperation as well.

We will continue to devote resources to Iraq, without a doubt. But as it stands today, we have focused on Iraq to the exclusion of critically important national security priorities. And we have done so at great cost to the outstanding men and women of the U.S. military, and to their families. When I speak to service men and women in Wisconsin and in Iraq, and when I speak to their families, their pride in their service is evident and it is well earned. But their frustration with this open-ended commitment, with the stop-loss orders and the multiple deployments, with the extensions and the uncertainties, is equally evident, and it is very painful. We can do better by them, by insisting on clarity, by insisting on accountability, and by assuring them that we have a plan with clear and achievable goals.

We must stop feeding the insurgency in Iraq, and focus on the fight against the terrorist networks that threaten the security of the American people. A timetable can make us stronger, and our enemies weaker. That is the strategy we must pursue, and I look forward to working with colleagues here in the

Senate to move such a proposal forward. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I ask unanimous consent to set aside the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAYTON. I ask unanimous consent, the previous order notwithstanding, that I might speak for up to 15 minutes as in morning business to eulogize my former colleague, Senator Paul Wellstone.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LATE SENATOR PAUL WELLSTONE

Mr. DAYTON. Mr. President, 3 years ago today a chartered plane crashed in northeastern Minnesota killing Minnesota's senior Senator, Paul Wellstone, his wife Sheila, and their daughter Marcia. Also on board were Mary McEvoy, our State Democratic Party's associate chair; Tom Lopic, a long-time Senate staffer; a young aide, Will McLaughlin; and two pilots. There were no survivors.

They were flying to Minnesota's famed Iron Range to attend a friend's father's funeral when the plane crashed just before landing and before Senator Wellstone's reelection just 11 days away.

Paul and I were political allies and personal friends for over 20 years, and he was my colleague and mentor during my first 2 years in the Senate. In 1982, Paul was the Democratic Farmer-Labor or DFL candidate for State auditor in Minnesota, while I was its candidate for the Senate. We both lost.

Eight years later, we switched. Paul ran for the Senate; I ran for auditor. We both won. In between, we officed and worked together on energy and economic development programs for the Governor of Minnesota and became good friends. When Paul ran for reelection to the Senate in 1996, I agreed to be his finance chair. Paul hated fundraising as much as I did, so we made quite a team. Fortunately, Paul's great popularity in Minnesota and his nationwide reputation as champion for important, progressive causes prevailed, and he won a decisive reelection victory. Four years later, Paul helped me win my election to the Senate.

Everyone who knew Paul and Sheila Wellstone knows that they were extraordinary, unmatched, and irreplaceable. Marcia, Mary, Tom, and Will were very accomplished and special people in their own rights, and their losses were as searing to their families and friends as Paul's and Sheila's.

Senator Paul Wellstone was unique. He was the leader, the heart, and the soul of Minnesota's Democratic Party. He had more passionately devoted followers, supporters, and political organizers than anyone else in Minnesota, perhaps more than anyone in our

State's political history, for Paul Wellstone was truly a man of, by, and for the people, especially, as he jokingly referred to himself and to them, the little fellers. He stood for, spoke for, and worked for the many against the powerful, the wealthy, and the narrow special interests.

In 1990, he pulled one of the greatest political upsets ever by defeating a well-entrenched Republican incumbent, despite being outspent by 7 to 1 and being 40 percent behind in the polls at Labor Day. He came to Washington, immersed himself in the work of the Senate, and over his 12 years, won respect and friendships on both sides of the aisle.

Whether they agreed or disagreed with Paul, everyone knew that he truly believed his position was right, that he passionately cared about the people he was trying to help, and that he had the unflinching courage of his convictions. He also had the oratory eloquence to win skeptics to his side and the genuine good humor to keep even his opponents his friends.

He used his skills, his terrific mind always absorbing new ideas, his nationwide network of friends and advisers, his growing seniority in the Senate, and his passion and persistence to accomplish much more than time permits me to recount. During his first term, he authored and passed the landmark "gift ban" legislation that virtually eliminated all lobbyist gifts to Members of Congress and staffers. He was an original cosponsor of the McCain-Feingold campaign finance reform bill. In Paul's own words, he said:

I am proud to be a politician because I believe strongly in democracy. My father, a Jewish immigrant from Russia whose family had to move from town to town because of czarist persecution, taught me to cherish free elections and the idea of "government of, by, and for the people." But I am not proud of the current state of campaigns and politics in our country.

The ethical issue in our time is that money has come to dominate politics and the democracy my father so deeply believed in is so severely compromised. Campaigns match image-makers against image-makers, pollsters against pollsters, and millions of dollars against millions of dollars. It is a superficial, trivialized politics of attack ads, manipulated advertising and 9 second sound bites. Most importantly, money corrupts the process. This is a much more serious corruption than the wrongdoing of a single individual. This is the kind of corruption which results in too few people having too much wealth, power, and say and too many people being denied a voice. It is the politics of democracy for the few, not democracy for the many.

Paul also worked tirelessly for years in partnership with Senator DOMENICI to enact mental health parity, requiring that mental illness be treated similar to any other illness. This important cause pitted Senators WELLSTONE and DOMENICI against very powerful and profitable special interests—insurance companies and for-profit health providers, whose profits increased by not providing or not paying for needed health care services.

The two Senators succeeded in winning Senate passage of their amendment to the Kennedy-Kassebaum health insurance health protection bill with 70 votes in favor. Unfortunately, their amendment was defeated in the conference committee.

The two Senators continued working together to enact their historic legislation. Tragically, the Senate effort has lagged since Senator Wellstone's death, despite the present majority leader's pledge in his remarks on the Senate floor of October 24, 2003 "to ensure that mental health is appropriately addressed in this Congress." That legislation has not been voted on in the Senate, either in the last session of Congress or in this one.

It would be the best possible commemoration of Senator Wellstone's life, and the giving of his life in the service of his country, for the Senate to pass that legislation and insist that it becomes law.

There is so much more that Paul Wellstone achieved, such as protecting women and children from domestic abuse, on which he and his wife Sheila worked closely together, and which he wanted to achieve before his life was tragically ended.

His uniqueness recalls the words of Ernest Hemingway:

Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer quality than bravery in battle or great intelligence. Yet it is the one essential, vital quality of those who would seek to change a world which yields most painfully to change.

Paul Wellstone dedicated his life to change the world for the betterment of people. That is why he and Sheila meant so much to so many people in Minnesota and across the country.

All of us—their family, friends, and admirers—still feel their loss. They and Marcia, Mary, Tom, and Will all had so much life left to live. We will cherish them forever.

I close with a brief passage from Paul Wellstone's political autobiography, "The Conscience of a Liberal."

When I am in coffeeshops with people, no one asks, Are you left, right or center? No one cares. What people want is that your politics be about them.

Tip O'Neill once declared, "All politics is local." But I would go further. All politics is personal. These are people who more than anything else yearn for a politics they can believe in. They want politicians whom they can trust and who are at least most of the time on their side.

With Paul Wellstone, people had the very best on their side all of the time. He will always be missed. May his life—all of their lives—be an example and inspiration to us all.

I yield the floor.

RECESS

The PRESIDING OFFICER. The hour of 12:30 having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed until the hour of 2:16 p.m., and

reassembled when called to order by the Presiding Officer (Mr. ENSIGN).

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006—Continued

AMENDMENT NO. 2213

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided on the motion to waive the Congressional Budget Act with respect to Kennedy amendment No. 2213.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, this amendment is a very modest amendment. It effectively adds \$200 for students who receive Pell grants. These are students who come from families with low incomes. Pell grants have been a backbone of our education policy and are essential to providing these students an opportunity.

We initially passed in the budget a \$5.4 billion increase in funding for higher education. All of that was eliminated. We have an opportunity this afternoon to make a small difference for those who receive Pell grants.

This amendment is about education. Education is about opportunity. This amendment is about competitiveness because in today's global economy we need well-educated individuals.

This amendment is about national security because education is the key to having a strong national security.

Finally, it is about fairness. Americans understand fairness. They believe in education.

I hope this amendment will succeed.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I agree with everything Senator KENNEDY has said about the importance of increasing Pell grants. But the difficulty is, in adding this appropriated fund, in his effort to add additional money, there is no offset. We have a budget of \$145 billion. We have made the allocations as best we can.

Since I took over the chairmanship of the Appropriations subcommittee, in 1995 we have increased the Pell grants on an annual basis from \$2,340 to \$4,050. I would like to increase them more, but there simply is not enough money to do so. If the Senator from Massachusetts has a suggestion as to some other priority which is of lesser importance, I would be glad to listen. This is a carefully crafted bill. Much as I would like to increase the Pell grants, there simply are not the funds to do so.

I am constrained to ask my colleagues to support the point of order.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. KENNEDY. What is the issue before the Senate?

The PRESIDING OFFICER. The motion is to waive the Congressional Budget Act in relation to the Kennedy amendment.

Mr. KENNEDY. Further inquiry: An aye vote effectively would be related to keeping the pending amendment alive?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the motion to waive the Budget Act. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 51, as follows:

[Rollcall Vote No. 268 Leg.]

YEAS—48

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Feingold	Murray
Biden	Feinstein	Nelson (FL)
Bingaman	Harkin	Obama
Boxer	Inouye	Pryor
Byrd	Jeffords	Reed
Cantwell	Johnson	Reid
Carper	Kennedy	Rockefeller
Chafee	Kerry	Salazar
Clinton	Kohl	Sarbanes
Coleman	Landrieu	Schumer
Collins	Lautenberg	Snowe
Dayton	Leahy	Stabenow
DeWine	Levin	Talent
Dodd	Lieberman	Wyden

NAYS—51

Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Ensign	Murkowski
Bennett	Enzi	Nelson (NE)
Bond	Frist	Roberts
Brownback	Graham	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Burr	Hagel	Smith
Chambliss	Hatch	Specter
Coburn	Hutchison	Stevens
Cochran	Inhofe	Sununu
Conrad	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner

NOT VOTING—1

Corzine

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 51. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. SPECTER. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank my colleagues for their prompt arrival in the Chamber to vote. We had an 18½-minute vote. I don't think we have had too many under 20 minutes, recently, at least, so we are moving right along. I thank my colleagues.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 2222

Mr. INOUE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE], for himself, and Mr. COCHRAN, proposes an amendment numbered 2222.

Mr. INOUE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To rename certain buildings of the centers within the Centers for Disease Control and Prevention)

At the appropriate place in title II, insert the following:

SEC. ____ (a) The Headquarters and Emergency Operations Center Building (Building 21) at the Centers for Disease Control and Prevention is hereby renamed as the Arlen Specter Headquarters and Emergency Operations Center.

(b) The Global Communications Center Building (Building 19) at the Centers for Disease Control and Prevention is hereby renamed as the Thomas R. Harkin Global Communications Center.

Mr. INOUE. Mr. President, today I rise to pay tribute to two of our most distinguished colleagues, Senator ARLEN SPECTER and Senator TOM HARKIN. I wish to recognize both for their many outstanding contributions to our country's disease and injury prevention and emergency preparedness through their work with the Centers for Disease Control and Prevention.

Since 1995, when Senator SPECTER and Senator HARKIN became chair and ranking member of the Labor, Health and Human Services, and Education Appropriations Subcommittee, funding for the CDC has tripled, from a little over \$2 billion to more than \$6 billion. This funding has been used by CDC to achieve its mission of promoting health and quality of life by preventing and controlling disease, injury, and disability.

In 1999, Senators SPECTER and HARKIN visited the CDC main campus in Atlanta, GA. They were surprised to find world-class scientists and health care professionals working in substandard, 50-year-old buildings. They recognized that beyond the aesthetics, the facilities were hindering the ability of the scientists to respond to disease outbreaks with the full force of modern technology.

They set out to rebuild the infrastructure of the CDC to ensure that it was capable of meeting its mission. In 1999, the budget for CDC buildings and facilities was \$17 million, barely enough to make critical repairs, such as patching leaky roofs. However, since 2000, under the leadership of Senators SPECTER and HARKIN, over \$1.3 billion has been invested in the infrastructure of the CDC.

These funds have been used to build laboratories capable of handling the most dangerous pathogens, such as ebola, anthrax, and smallpox. The fore-

sight of these two Senators was confirmed by the essential role the new facilities played in responding to the anthrax attack in 2001, the Marburg virus outbreaks, and the potential for an influenza pandemic.

The latest additions to the CDC campus are now complete and include two new buildings dedicated to responding to public health emergencies and disseminating information to health professionals. The CDC Headquarters and Emergency Operations Center will be the new home to the Office of the Director, Coordinating Officer of Terrorism Preparedness and Emergency Response, Office of Security and Emergency Preparedness, and the Emergency Operations Center. It will provide permanent, secure, and consolidated command and control areas for CDC's response to natural disasters, acts of terrorism, and outbreak responses. It allows for CDC's executive leadership and other critical headquarters functions to relocate to one building to allow for increased coordination and communication.

The Global Communications Center will support outreach and worldwide collaborative efforts. The center is a multifunctional, comprehensive scientific learning facility encompassing functions key to CDC's mission and goals for public health, such as outreach, research, and programmatic foundations. The Global Communications Center not only provides a physical place to bring the public health community together for training, information exchange, and collaboration, but it is also the technological link for CDC employees around the globe, from Alaska to Zimbabwe.

It is fitting that these flagship buildings be named for the two Senators who have led the Senate in providing funding for public health and research. I am pleased to offer this amendment, cosponsored by my dear friend from Mississippi, Senator COCHRAN, to designate the two new CDC buildings as the ARLEN SPECTER Headquarters and Emergency Operations Center and the THOMAS R. HARKIN Global Communications Center.

Mr. President, the amendment has been cleared by both sides.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2222) was agreed to.

Mr. INOUE. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 2194

Mr. REED. Mr. President, I ask unanimous consent that the pending amendment be laid aside, and I further ask unanimous consent to call up amendment No. 2194 that is pending at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED, for himself, Ms. COLLINS, Mr. KENNEDY, Ms. SNOWE, Mr. KERRY, Ms. CANTWELL, Mr. HARKIN, Mr. BAUCUS, Mr. COLEMAN, Mr. DORGAN, Mr. OBAMA, Mr. SCHUMER, Mr. LEAHY, Ms. STABENOW, Mrs. CLINTON, Mr. DURBIN, Mrs. LINCOLN, Mr. DAYTON, Mr. REID, Mr. BAYH, Mr. LEVIN, Mr. ROCKEFELLER, Mr. LAUTENBERG, Mr. SARBANES, Mr. JEFFORDS, Mr. SALAZAR, Ms. MIKULSKI, Mr. BINGAMAN, Mr. LUGAR, Mr. SMITH, Mr. KOHL, Mr. DODD, and Mr. DEWINE, proposes an amendment numbered 2194.

Mr. REED. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for appropriations for Low-Income Home Energy Assistance Program)

In title II, in the matter under the heading "LOW-INCOME HOME ENERGY ASSISTANCE", in the matter under the heading "ADMINISTRATION FOR CHILDREN AND FAMILIES", after the first sentence insert the following:

In addition to amounts appropriated under the preceding sentence, for making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.), \$2,920,000,000, which amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. REED. Mr. President, I ask unanimous consent to add Senators DODD and DEWINE as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, last week Senator COLLINS and I came to the floor to offer an amendment on the Transportation-Treasury appropriations bill to increase funding for the Low-Income Home Energy Assistance Program, more commonly known as LIHEAP. We would have increased the appropriations to the authorized amount of \$5.1 billion. With Senator COLLINS' support, and with the help of 53 other Senators, we came forward to make a statement that in this cold winter that is approaching, with soaring energy prices, Americans needed help and we could do better. Fifty-three Senators, Democrats and Republicans, northerners and southerners, east coasters and west coasters supported our amendment when it came to a vote. But it failed to pass because of a procedural need to acquire 60 votes. We, joined by 30 of our colleagues, are here again today to offer our amendment to the Labor-HHS appropriations bill.

Our amendment provides \$2.92 billion in emergency spending for the LIHEAP program. This amount, coupled with the \$2.18 billion in the Labor-HHS appropriations bill, will fully fund LIHEAP at the authorized level of \$5.1 billion, a level authorized by this Congress and signed into law by the President just 3 months ago. At this level, LIHEAP will cover the full increase in

recipients' heating costs so they would not be forced to pay more out of their very limited budgets for this winter's heating season. It is imperative that this appropriations bill provide additional resources to the LIHEAP program so families are safe and warm this winter.

As we speak, there is a storm raging in the Northeast in New England. We expect in some parts of the region to have snow this evening. Winter is coming. It is coming with a particular ferocity at this moment. But something else is already happening: Rising energy prices, extraordinary increases in energy prices, much of it as a result of Hurricane Katrina that struck the gulf coast area. As I have said before, the first surge was high water that overwhelmed low-income people in New Orleans and Mississippi and Alabama and other cities along the gulf coast. The second surge is high energy prices which are about to overwhelm many individuals in the Northeast and the Midwest and throughout this country where the temperatures begin to fall as they do this time of year. We have to do more to protect these people because we know it is coming.

One of the lessons from Katrina is that we understand that there are people who are vulnerable, and they have to be protected before the storm hits, not afterwards. This is an opportunity to do that for people throughout this country who are vulnerable this winter to rising energy prices and falling temperatures.

I particularly thank Senators SPENCER and HARKIN for their strong support of the LIHEAP program. I realize the difficult choices they faced this year in determining spending limits for the Labor-HHS appropriations bill. I appreciate their support for this amendment to add emergency spending for LIHEAP.

On Saturday, the New York Times printed an editorial titled "Washington's Cold Shoulder." I ask unanimous consent that a copy of the editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 22, 2005]

WASHINGTON'S COLD SHOULDER

The weather is turning cold, and home heating fuel is increasingly unaffordable. The Energy Department recently reported that households should expect to pay 48 percent more this year for natural gas, on average, and nearly a third more for oil and propane—assuming a "normal" winter and no further supply disruptions like Katrina.

In and of themselves, those increases will be too much for an estimated seven million low-income Americans, including old people, disabled people and families with children. On top of gasoline prices that are already high and wages that are stagnating, the rising cost of heating fuel is bound to be devastating.

Yet Congress is balking at approving an additional \$3 billion in federal heating subsidies that would help meet the coming need. (Lawmakers allocated \$2 billion to the subsidy program last summer, before Hurricanes

Katrina and Rita sent prices soaring.) Earlier this month, and again on Thursday, measures in the Senate to provide the extra funds were defeated, largely by a bloc of Republican lawmakers, though with each vote, a handful of Republicans voted in favor and a few Democrats voted against.

At the same time, Republican majorities in Congress are unrelenting in their drive to pass \$70 billion in new tax cuts this fall, most of them for wealthy investors, and \$35 billion in spending cuts, most in programs that benefit the poor.

With Congress's priorities so obviously skewed, the best chance for adequate heating subsidies this winter lies with President Bush. Advocates for the poor are hoping that Mr. Bush will ask for the additional money in a future hurricane-related emergency spending request to Congress. But so far, Mr. Bush has not said whether he will ask for more heating aid, and, if so, when or how much.

This sad lack of urgency is seen elsewhere in the administration as well. Asked at a news conference earlier this month whether the administration would support bolstered subsidies for low-income families and the elderly, Secretary of Energy Samuel Bodman suggested that everyone just wait and see. "I can't respond to that," he said, "other than by saying we're going to do our very best, first, to see what we can accomplish by the reduction in demand for energy."

That's unacceptable. Heating subsidies are not a conservation issue. Vulnerable people need to keep the heat on to keep from getting sick, or worse. Such subsidies help everyone by maintaining public health and safety, ensuring that others don't become ill and spread illness, or resort to hazardous means of heating that can cause fires. Heating aid for the needy is also a matter of common decency, which ordinary Americans are entirely capable of, though not, so far, their elected leaders.

Mr. REED. The editorial says that our congressional priorities are skewed, and I agree. As the editorial points out, Members of Congress are continuing an unrelenting drive to pass \$70 billion in new cuts this fall in taxes, most of them for wealthy investors, and to cut \$35 billion in spending, mostly in programs that benefit the poor. The vulnerable people need to keep the heat on to keep from getting sick, becoming homeless, or worse.

Because of our budget rules, we are prevented from getting a straight up-or-down majority vote on our amendment to provide assistance to seniors, low-income working families, and disabled individuals. This amendment will ensure that they will be protected from the ravages of the cold this winter: aid that will ensure children will not become ill or malnourished, aid that will ensure families do not resort to hazardous means of heating that can cause fires. Unfortunately and regrettably, every heating season there is a terrible incident where some poor person decides their stove can provide them some heat, and they leave it on, causing a fire with tragic consequences. I hope that will not be the case this year. If we don't provide support for these families, they have very little choice in many cases, other than to improvised heat, and that often leads to tragedy.

As the New York Times editorial states: Heating aid for the needy is a

matter of common decency. Is our memory so short that we have forgotten the pledge we made to low-income families after Hurricane Katrina to address the economic disparity in our Nation that literally leaves many out in the cold or in the dark?

Rising energy prices could financially wipe out working-class families and seniors this winter. Energy costs for the average family using heating oil are estimated to hit \$1,600 this winter, an increase of \$380 over last winter's heating season. For families using natural gas, prices could hit about \$1,400, an increase of \$500. For families using propane, prices are projected to hit \$1,400, an increase of about \$325. For families living in poverty, energy bills are now over 20 percent of their income compared to 5 percent of the income of other households, more affluent households.

In America, no one should be forced to choose between heating or eating. No senior citizen should be forced to choose between buying necessary pharmaceuticals and keeping the heat up. But unfortunately, low-income working Americans are facing these decisions each day, and they will become more dire and more consequential as the winter approaches.

The heat-or-eat dilemma is a real one for poor families. A study by the RAND Corporation found that low-income households reduce food expenditures by roughly the same amount as their increase in heating expenditures. That is an awful tradeoff, one that I don't think any American would like to see take place.

The Social Security Administration recently announced its cost-of-living adjustment for 2006 for seniors. The COLA is about a \$65-per-month increase for the average retired couple. But with this winter's energy prices, that increase will be wiped out in an instant. So we have to do better. Even at a funding level of \$5.1 billion, LIHEAP would still only serve about one-seventh of the 35 million households that are poor enough to qualify for assistance. So we are just talking about serving the very neediest in our community. This is a program that, frankly, could use many more dollars to serve every qualified individual. We are just reaching the neediest among us. If we don't pass this appropriations, we won't even reach those individuals.

I urge all my colleagues to join us to secure \$2.9 billion in additional LIHEAP funding and pass this amendment. I urge an up-or-down vote on the amendment. As a nation, we must step back and evaluate our priorities. American families are facing an energy emergency. If we can find money for tax cuts, then we can find funds for LIHEAP. Now is not the time to sacrifice the health and safety of American families. We must prioritize, and the priorities start with providing affordable energy to low-income and middle-class Americans as they struggle with extraordinary increases in

prices and the looming cold of this winter.

I am pleased and proud to be joined in this effort by my colleague from Maine, Senator COLLINS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join with my colleague and friend from Rhode Island, Senator REED, in offering an amendment that would increase funding for the Low-Income Home Energy Assistance Program, commonly known as LIHEAP, by \$2.9 billion. I want to begin my remarks by thanking the manager of this bill, Senator SPECTER, for his strong commitment to the LIHEAP program. Despite difficult budgetary constraints, the chairman has found an additional \$200 million in LIHEAP funding above the administration's request, bringing the total to approximately \$2.2 billion. I do recognize and very much appreciate that effort.

Unfortunately, even with this additional funding, we are still far short of the amount of funding that is needed for this vital program. Just a few months ago, President Bush signed into law the Energy Policy Act of 2005. This law, which passed the Senate with an overwhelming vote, authorizes \$5.1 billion for the LIHEAP program for fiscal year 2006. The Reed-Collins amendment would increase LIHEAP funding to the fully authorized level.

Our Nation has now been struck by three extremely powerful hurricanes in as many months. While these hurricanes have been devastating to the people of Florida and the gulf coast, they have also had a major impact on the rest of the Nation. Just as the Nation should be building oil supplies for the winter heating season, these hurricanes have disrupted our already strained supplies and sent the cost of both home heating oil and gasoline, as well as natural gas, to painfully high levels.

While high energy prices pose a challenge for almost all Americans, they impose an especially difficult burden on low-income families and our elderly citizens who are living on limited incomes. Low-income families spend a greater percentage of their incomes on heating their homes, and they have fewer options available as energy prices soar. High energy prices can even cause families to choose between keeping the heat on, putting food on their table, or buying much-needed prescription drugs. In our country, the most prosperous country on Earth, surely no family should have to make such terrible choices.

I believe our amendment reflects a realistic appraisal of the need for more assistance in this program. Let me briefly describe the situation that we are facing in my State of Maine, a State where snow is predicted for later today. While the official start of winter is still 2 months away, temperatures have already fallen below freezing in

much of Maine. In Maine, 78 percent of all households use home heating oil to heat their homes. Currently, the cost of home heating oil is approximately \$2.50 per gallon, although I recently paid 20 cents more per gallon to fill my tank.

That price, the \$2.50 price, is some 60 cents above last year's already high prices. These high prices greatly increase the need for assistance and at least 3,000 additional Mainers are expected to apply for LIHEAP assistance this year. With more people in need of help, the benefit is expected to fall by roughly 10 percent, to about \$440 per qualifying household.

Unfortunately, at today's high prices, \$440 is only enough to purchase approximately 173 gallons of oil. That is far below last year's equivalent benefit of 251 gallons and not nearly enough, not even close, to what will be needed by these families to get through Maine's winter.

With rising prices and falling benefits, we have a real problem. To purchase the same amount of oil as last year, Maine would need an additional \$10.8 million in LIHEAP funding. With winter fast approaching and energy prices soaring, home heating bills are set to pound family budgets mercilessly. For low-income families, LIHEAP funds can be a factor that prevents them from having to choose between turning down the heat to the point where they are at risk for hypothermia or putting food on the table, paying their bills or buying prescription drugs.

Surely we can do better to help those who otherwise will truly suffer during the winter months.

I call upon all of our colleagues to join us in this amendment or surely it will be too late to help those who are going to be in dire straits this winter. Let us act now to provide the funding that is so sorely needed.

I thank the Chair.

Mr. BYRD. Mr. President, I have been around the Senate for a long time, and I have been serving West Virginia for a long time. I have seen many seasons in my time in this Senate, and I know that with each season comes its challenges. There is strength and beauty in West Virginia winters, but the impacts of recent hurricanes and other energy challenges will test our ability to meet our needs this coming season. These colder temperatures mean that West Virginians and Americans in many regions of this country will be struggling to heat their homes. I know, as winter approaches, many West Virginians will be faced with tough choices about whether to use their paychecks to heat their homes, to fill their cars with gasoline, or to buy winter clothes for their children. I sympathize with those who have to make these tough choices, and these hard-working Americans deserve some measure of relief.

I strongly support the Reed/Collins amendment. We need to fully fund the

Low Income Home Energy Assistance Program, LIHEAP. This program is critical for those in my State and across the country who will be facing a tough winter. Colder winter months, coupled with the simultaneous challenges of an increase in poverty, a growing elderly population, and ever-increasing home heating costs, will make this program crucial. The LIHEAP program fills the gap for the poorest and most vulnerable of our citizens, allowing them the sanctuary of a warm home, something to which each and every American is entitled. More than 130,000 households benefit from this program in my State. Households, including many in West Virginia, that heat with natural gas are expected to pay an average of \$350, or 48 percent, more for home heating this winter than last. This increase will leave many West Virginians even more vulnerable and forced to make tough choices.

Therefore, I support this amendment, as I have when it has been previously offered on other fiscal year 2006 Appropriations bills. I cannot stand by and let the throes of winter leave the most vulnerable in my State out in the cold, and I urge my colleagues to support it.

IRAQ

Mr. BYRD. Mr. President, press reports today indicate that the number of American troops killed in Iraq has now reached 2,000—2,000. This is another tragic milestone in this costly and unnecessary war in which too much blood—too much blood, too much blood—has already been spilled. And I offer my deepest sympathies to the brave men and women who have given their lives—that is everything. They have given their lives. They have given their all, everything, their lives—most of these young lives in their 20s or thereabouts—given their lives in selfless dedication to service—2,000—2,000 men and women given their lives in dedication to our Nation. See the empty chairs. Two thousand, 2,000 empty chairs at the table, 2,000. How many hearts have been broken? How many tears have been spilled? I offer to these families my prayers that God, almighty God, may comfort them in their grief over the loss of their beloved husbands, wives, sons or daughters, brothers or sisters.

As we mourn the losses that have already occurred in the war in Iraq, Americans should be mindful that all indications are that there will be many more losses to come—many more losses to come, yes, in the most dangerous, the most dangerous country in the world, the most violent country in the world. How would you like your sons or grandsons or granddaughters to go? And for what? For what? They did not ask to be sent to war. They were young. They had life ahead of them. Oh, the lofty horizons they had, the great dreams they had—the dreams, the dreams, yes, the dreams, of these young men and women—2,000—2,000—2,000. They did not ask to be sent to war, I say.

But each day they carry out their duty. Think of those who are in Iraq. No, they must not stand still in one place, no. Keep on the move. Look all around you. How much they sleep at night and how much their mothers and fathers lie on their pillows to cry out to God to save their sons and daughters, to send them home safely. What a terrible thing.

It is only reasonable that the American people and their elected representatives, like you—like you, yes, and like me—ask more questions, questions, more questions, yes. Why? Oh, why? Why? Why? How much longer, how long do we have to suffer? How long do our young people have to look forward to this dreadful trap?

I was alarmed last week when Secretary of State Condoleezza Rice was asked at a hearing of the Senate Foreign Relations Committee about the President's ability to initiate another war. Specifically, Secretary Rice was asked whether the President must seek a new congressional authorization if he were to attack Syria or Iran. Secretary Rice responded:

I don't want to try and circumscribe Presidential war powers.

How about that.

I don't want to try and circumscribe Presidential war powers. And I think you'll understand fully that the President retains those powers in the war on terrorism and in the war on Iraq.

I am astounded, I am flabbergasted, I am astonished by that response. The Secretary of State seems to indicate that she believes this President or any other President has the power to redefine the war in Iraq and the war on terrorism—and that power that appears in the Constitution of the United States: Congress shall have power to declare war—has the power to redefine the war in Iraq and the war on terrorism to include a possible attack on Syria or Iran.

Think of it. Mr. President, Congress made a grave mistake, Congress made a grave mistake—what a blot on the escutcheon of the Senate—when it voted to pass the resolution which transferred to the President the power to declare war against Iraq. What a shame. What a shame. What a mistake. Oh, my, what a mistake. What a mistake. What a shame. And this Senate for the most part stood mute—mute, mute, silent, speechless.

Congress made a grave mistake on October 11, 2002, in passing the resolution that transferred to the President, any President, the power—how about that, the power—that is not what this Constitution says. This Constitution, which I hold in my hand, says that Congress—that is us, the people's representatives, here and across on the other side of the Capitol—Congress shall have power to declare war. But what did Congress do? Congress shifted that power to declare war, tucked its tail between its legs, so to speak, and walked off the field, threw its sword in the sand and walked off the field, rel-

egated itself then, now, and forever more, until that law is changed, rendered itself speechless. We wash our hands, Congress washed its hands. Congress washed its hands and walked away from that field, with its broken sword in the sand, transferring to the President the power to declare war against Iraq. And for what? For what? Why did we go there? Well, there are all kinds of reasons now they bring but then it was because there were to be found weapons of mass destruction.

Mr. Rumsfeld said: Oh, we know where they are; they are in the north, they are in the south, the east and west. We know where they are.

Well, where are they, Mr. Secretary? Where are they? Where are they? Two thousand men and women, one for every year that has passed since Jesus Christ was born—2,000, 2,000. And for what?

But that resolution was limited to Iraq alone. It had no mention of Iran, no mention of Syria. That resolution cannot possibly authorize a new war against Syria or Iran. Our troops are so deeply mired in this sectarian conflict in Iraq, what point could there possibly be in contemplating an attack on Syria or Iran? Why did Secretary Rice dismiss the notion that the President must first come to Congress if he wishes to broaden this war to new countries—unless our country is under the direct threat of an imminent attack. Then a President has the inherent constitutional power to move to war.

The American people seek an end, they seek an end, they want an end to this ongoing bloody war in Iraq, not new conflicts in neighboring countries.

For the sake of the Constitution—here it is in my hand—for the sake of the Constitution, for the sake of the American people—there they are. I see them out there through those electronic lenses. Yes, there they are, out into the mountains, the Appalachians, then the Midwest, then the Rockies, then the west coast. They are all over there, the American people—and for the brave members of the U.S. Armed Forces, the President should publicly acknowledge that there will be no expansion of the war in Iraq, none, no expansion, without the authorization of Congress. That is us. That is us, Members of the House and Senate. Not one man, not one body. Two bodies, the House and the Senate, the Congress of the United States.

There must be no more mission creep. There must be no more billions committed. There must be no more lives lost without authorization by the people's representatives in Congress, including an open debate and an up-or-down vote. That is what I pleaded for. That is what some of us pleaded for. That is what some of us pleaded for—debate, time, talk, wait, wait until after the election; let's hear what the people have to say and then come back and talk about it. No, it had to be done in a hurry; we have to get it behind us.

The Senator from Massachusetts and the Senator from New Jersey and the

Senator from Rhode Island and others said: Wait a minute, let's talk about it; let's wait until after the election; we don't have to do it now; let's wait, wait, wait; let's talk about it. No, we were told, get it behind us, get it behind us. I said you will never get it behind us. This man down at the White House is not going to let it get behind us. He has you right where he wants you.

Mr. KENNEDY. Mr. President, will the Senator yield on that point?

Mr. BYRD. Yes, I will be glad to yield for a question.

Mr. KENNEDY. Mr. President, I thank the Senator for addressing the Senate on this very grim day that marks the loss of the 2,000th young American in Iraq. I welcome my memory being refreshed by the Senator's very eloquent statements about what took place at that time and subsequently about his policy differences, which I share so deeply.

While the Senator said we should wait, does the Senator not think it might have been appropriate that we give the inspectors adequate time to complete their inspection prior to the time we were going to have the troops begin the invasion?

As members of the Armed Services Committee, we were told that we were transferring the information Don Rumsfeld had to the inspectors. Under the excellent questioning of the Senator from Michigan, Mr. LEVIN, Secretary Rumsfeld was asked about the information that would be transferred to the inspectors, and he gave the assurance to the Armed Services Committee that this was a continuing, ongoing process in which we were involved. Then we found out subsequently that there was no transfer of information. There was no transfer of information because, as the Senator has pointed out, those weapons had not been there. But that information was never shared with the Members of this body. There was never an effort to try to see whether the international inspectors could find what the Secretary of Defense swore to, effectively, about the weapons of mass destruction—and the Senator used the words north, south, east, and west, which are very much the words the Secretary of Defense used. He assured the American people he knew where they were.

Mr. BYRD. Yes.

Mr. KENNEDY. We understood they were going to notify the inspectors and give assurances to the American people. Doesn't the Senator believe it would have been appropriate at least if we had waited until that kind of process continued and we find out whether weapons of mass destruction were there or were not there? That is part of the waiting, is it not?

Mr. BYRD. Absolutely, positively.

Mr. KENNEDY. I thank the Senator for reminding us about that period in history. I gather from what the Senator is saying, with all the mistakes and blunders that have been made—

Mr. BYRD. Yes.

Mr. KENNEDY.—what the Senator is asking for is out of respect for the extraordinary heroism of our current men and women in the service, that they deserve something better than the clichés and slogans for policy.

Mr. BYRD. Yes.

Mr. KENNEDY. And that they need to have a real policy that is going to reflect how we can bring those brave American service men and women home with honor.

Mr. BYRD. Yes.

Mr. KENNEDY. And do it in a way of which we can all be proud.

Mr. BYRD. Yes, yes. I thank the distinguished Senator for his very appropriate observations. The U.N. inspectors were doing their job. They were finding certain weapons, and they were disposing of them. With some more time—I believe it was the top inspector, his name was Blix—he said: We can do this job; it may take some months. We could have done that and saved 2,000 men and women. Oh, what a shame. The inspectors were doing their job.

Let me hurry on. Too many lives have already been lost.

Mr. KENNEDY. Will the Senator yield? I don't want to interrupt his comments here, they are so important, but has the Senator, in his following of this issue, been able to detect any plan, any strategy that has come from the administration from which he believes the American people can gain great satisfaction that we are headed in the right direction? Does he know of any plan or program, any strategy that would result in the opportunity to bring those service men and women home with honor?

Mr. BYRD. There has been none. There is none. There has been none. I see only a huge black hole. No plan. No plan. No plan. No vision. We are there with no vision, and people perish and they perish.

Too many lives have already been lost in pursuit of this nefarious doctrine of preemption, unconstitutional on its face—on its face. How can there be a congressional debate if one man may decide when to hit, where to hit? I urge the administration to turn away from that dangerous doctrine of preemptive war and adhere to the requirements of the Constitution of these United States, to which we all swear an oath to support and defend the Constitution of the United States against all enemies foreign and domestic. Lord, Lord, help us. May God bless these men and women who gave their lives, and God bless their families who mourn them every day, every night, and there is no end in sight. May God help this Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Rhode Island.

AMENDMENT NO. 2194, AS MODIFIED

Mr. REED. Mr. President, I ask unanimous consent to modify my amend-

ment No. 2194. I am told I do not need consent.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, with its modification, is as follows:

On page 158, after line 12, insert:

In addition to amounts appropriated under the preceding sentence, for making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.), \$2,920,000,000, which amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. REED. Mr. President, I ask unanimous consent to add Senator BYRD to amendment No. 2194.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I believe the amendment which has been offered by the Senator from Rhode Island and the Senator from Maine is one of necessity. It is regrettable that fuel costs have grown so high, occasioned by a great many factors, one of which is what has happened with Hurricane Katrina and the elevation of oil, the elevation of natural gas prices.

This issue of low-income home energy assistance, LIHEAP, has been a difficult matter for this subcommittee for the 24 years I have been on the subcommittee because it poses such a drastic alternative for so many people. The comment "heat or eat" is a very accurate one. That really is the choice for so many, especially the elderly. I have supported funding for LIHEAP in the past, and I believe it is accurately characterized as an emergency.

I say that recognizing the very heavy, burdensome obligations the Federal Government has and that spending is a very major issue. But when it comes down to the exigencies of this moment where we have appropriated so much money to help the victims of Hurricane Katrina, we are talking about brothers and sisters of those victims of people who live in Rhode Island or New Hampshire or Maine or Pennsylvania or so many States in the Union. So I will be supporting the amendment Senator REED and Senator COLLINS have offered.

I have been advised that there will be an alternative amendment put forward to have an across-the-board cut. I do not think that is the better answer to the issue, but I wanted to put that on the record so that if we move ahead with the yeas and nays, we will hold off on the vote perhaps to vote on them side by side, if there is not a second-degree amendment. We will see what we sort out on procedure.

I thought it important as manager on this side that I make this statement which I have. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I know we are going to pause at 3:40 p.m. My friend and colleague from New Jersey has an important statement, but he is letting me proceed.

Winter is rapidly closing in on States across America. Yet even after Hurricane Katrina shocked the Nation about the desperate plight of the poor, the administration and the Republican Congress continue to ignore our neediest citizens.

According to the Energy Information Administration, home heating bills will soar this winter. Households heating primarily with natural gas will pay an average of \$350 more this winter for heat—an increase of an incredible 48 percent over last year. Those relying primarily on oil for heat will pay \$378 more—an increase of 32 percent.

The people most in need of help on this issue are the 37 million Americans living in poverty today—including 13 million children. According to a recent report by Economic Opportunity Studies, families in poverty will owe an average of 25 percent of their entire income for their energy bills this winter.

The Federal poverty guideline is \$16,090 for a family of three. That means that \$4,022 will be spent on home energy bills, leaving only 12,000 or \$1,000 a month for expenses the entire year.

A family whose rent is \$800 a month would have only \$200 left. For a household of three, that's only \$63 per person per month for food, clothing, and health care.

Mr. President, 46 million Americans lack health insurance in this country. If such families have a health emergency and no health insurance, their annual income could be further strapped.

What if the family owns a car so they can get to and from work? More money will be needed to pay the high cost of gasoline and to make monthly car and insurance payments.

Since many families live below the Federal poverty line, they will have even less money left for other needs after they pay to heat their homes.

A recent study by researchers from Stanford University, the University of Chicago, the RAND Corporation, and UCLA found that when poor families' heating bills go up during cold winter months, they reduce their spending on food.

LIHEAP, the Low-Income Home Energy Assistance program, was created two decades ago to prevent low-income families from being forced to make these impossible tradeoffs. Yet Federal funding for LIHEAP has been stagnant for over a decade, even as the need for assistance has risen sharply. As a result, the purchasing power of LIHEAP assistance, adjusted for inflation, is now only a little over half of what it was in 1982.

Thirty-three million households are eligible for LIHEAP assistance. These households will spend nearly \$55 billion in energy costs. Yet the LIHEAP program is funded at only \$2 billion.

According to the National Energy Assistance Directors' Association, LIHEAP assistance reached 5 million families this year—the highest level in

ten years, but only 15 percent of the eligible population.

In Massachusetts, LIHEAP serves 134,000 families, which is only 15 percent of the 867,000 families eligible for assistance.

Earlier this month, I visited the Curtis Hall Community Center in Boston, MA, with Mayor Menino. I heard first hand about the extreme need for home energy assistance among senior citizens.

Last winter, Eileen Duggan, a widow from Jamaica Plain in Boston, kept her oven on high and wore several layers of clothing because her time-worn furnace was inadequate to provide enough heat. She started buying less food so that she could use her small monthly budget to pay her heating bill. Despite her best efforts, she still couldn't pay that bill, and last April, with the New England winter chill still in the air, she asked the utility company to stop sending her oil. "I told the oil man: 'Don't give me anymore. I can't afford it,'" she said.

Other low-income families have also been sharing their stories. One example involves a single mother who lives in Haverhill, MA, with her 18-year-old son who is handicapped, her 19-year-old daughter, and her daughter's child who has a medical condition. Both mother and daughter work as school bus monitors, and they have little or no income over the summer. Their rent is \$950 a month. Their last gas bill was \$1,729. Because they couldn't pay the bill, their gas was shut off last winter. Even if they qualify for \$600 in LIHEAP assistance, the gas company may still refuse to reconnect their service, unless the family comes up with another \$400 to \$800 towards their debt.

Millions of low-income Americans set their thermostats at just 60 degrees or even lower—if their heat is still on—while Congress, the administration, and the vast majority of us rest content in warm homes. Yet the Bush administration and the Republican Congress do nothing year after year.

Time and time again I have stood on the Senate floor urging Congress to open its eyes to the needs of the poor.

It is shameful that after the President and the Republican Congress froze LIHEAP funds through the continuing resolution, they continue to tune out the pleas of low-income families who need home heating assistance.

Last week, the Republican leadership decided to use a procedural maneuver once again to block emergency funding for LIHEAP. Almost every Democratic Senator supported this additional relief, but Republican Senators overwhelmingly opposed it, and it was defeated.

There is no excuse for the Republican majority to look the other way—but they do. They continue to ignore families who lie awake at night worrying how to make ends meet. They refuse to acknowledge the parents who worry, day after day, week after week, month after month, how to feed their children

and keep the heat on, or the elderly who turn down their thermostats, put on extra sweaters, or even turn off the heat in an attempt to save money.

It is time to tell low-income families across the country that we hear them, that we care about them, and that we don't intend to leave them shivering in the cold again this winter. That is why I strongly support the Reed-Collins amendment to add \$2.9 billion to the LIHEAP program. We need to increase LIHEAP funding now to avoid real harm to real people this winter, and I urge my colleagues to support this amendment.

I urge our colleagues to listen to our colleagues not only from New England, from the Northeast, but other parts of the country in urging favorable consideration of this amendment. I join them in saying I have seen the faces of too many senior citizens, too many elderly people who are on fixed incomes. I have seen their fear about what is going to happen in their homes and the hard, difficult choices they are going to have to make this winter unless we provide this assistance. This assistance is desperately needed for our region of the country. It is Katrina in a very real way. Like Katrina, it is an emergency in terms of heating homes. I hope we can get favorable consideration of the amendment.

The PRESIDING OFFICER. The Senator from New Jersey.

IRAQ

Mr. LAUTENBERG. Mr. President, this is a grim moment for America: 2,000 of our young courageous people have perished in Iraq—2,000. From the years 1961 to 1965—those are the years in Vietnam—we got over 2,000 death notices sent to homes across the country. There is a lot of pain across the country, yes, for those who lost loved ones, but across this Nation of ours people are wondering what is it, when do we get to see our people coming back home, because it certainly does not have the appearance of a matter resolved.

I have often thought that some memorial should be present in this body as these casualty numbers are reported. But as we were denied the opportunity to have some reminders of this catastrophe displayed in the Rotunda or a busier place, I decided to put a memorial to those lost in Iraq at the front door to my office. I have been overwhelmed by the interest shown by passers-by.

We have their pictures up there and their names and the communities they come from. There are more numbers coming. We update the list regularly, the pictures regularly. Every casualty is a life cut short, families torn apart. Outside my office we have this memorial to the fallen heroes. You look at those faces and see how young are the people who died.

When I started the Senate memorial I hoped major combat would soon be over and our casualties would be minimal or eliminated, but major combat

has dragged on and the memorial display unfortunately has grown and grown. It has gotten to the point where the memorial takes up most of the space outside my office. I encourage my colleagues to visit these memorials. There is one in the Longworth House Office Building in front of the office of Representatives RAHM EMANUEL and WALTER JONES. I encourage my colleagues to visit these memorials and pay tribute to these troops.

As we reach this grim milestone today, it is critical that we examine the situation we are facing in Iraq. The President made a speech today. We heard it on TV. He basically said let's keep on doing what we are doing. We heard the usual rhetoric about spreading freedom.

I do not think we need any more slogans. I remember the President's slogan on the aircraft carrier when he said, "Mission accomplished." Mission accomplished? The President declared that major combat operations were over. This was in May 2003. Since then we have lost 1,855 of our people.

As the debacle on the aircraft carrier proved, slogans are only as good as the banners they are written on. But we don't need more slogans. We need a plan. We need a plan that will provide relief to our troops so they are not shouldering all of the burdens in Iraq. The President and his team ignored the wise advice of the State Department and alienated our usual allies before the war, and did it with incredible arrogance and ineptitude.

Last year, President Bush scolded my colleague Senator KERRY, while debating this issue, alleging that Senator KERRY forgot—I put this in quotes—"forgot Poland." But even Poland is pulling out of Iraq now. With the exception of British troops in Basra, we are essentially going it alone across the rest of Iraq. As our troops go it alone, they have to live with President Bush's taunt to our enemies when he said: "Bring 'em on. Bring 'em on."

Mr. President, have they sufficiently brought them on? That was said in July of 2003.

What the troops on the ground need is less talk and more of a plan that defines our specific goals. They want to know exactly how many Iraqi troops need to be trained before our soldiers can begin to come home. We hear stories about these trained battalions, trained units that are made up of Iraqi soldiers. But when you get the other side, people who have knowledge from the front, they tell us there are far fewer Iraqis trained than are presented to us from the administration.

What we hear from President Bush over and over again is that we need to complete the mission. But we are not told what the mission is.

Today, I hope every American will pause and reflect on the price that has been paid by our very brave service people. Their courage is above question—but the administration's policy in Iraq is not. The American people

have a right and a duty to demand answers from our Government. Our troops deserve nothing less. Every flag-draped coffin represents a family who will never again share a moment with their spouse, with their child, sibling, friend.

It was very telling, early on in this conflict, when the administration banned the photography of flag-draped coffins coming back to our shores from Iraq. Imagine banning that demonstration of honor and tribute—a flag-draped coffin, based upon the fact that it might disturb the privacy of the family while they greet the coffin. Families don't come to Dover, DE, where the coffins are carried off the airplanes. There is a mortuary where remains are often identified and moments of privacy provided for the families. But they banned these tributes to heroes who served our country. The administration argued about the privacy matter. It is a red herring. Of course the funerals are private. But at issue was the return of these caskets to Dover Air Force Base.

Why do I talk about it? Because it is an attempt to hide the real pain and sacrifice that is being made in this war in Iraq. They do not want the American people to see flag-draped coffin after flag-draped coffin because it reminds us about what is taking place.

Presidents Reagan and Clinton publicly met flag-draped coffins on the tarmac at Dover. But under this President we cannot even take pictures of them.

We should honor, not hide, flag-draped coffins. They are a symbol of the respect, honor, and dignity our fallen heroes deserve. Today we honor the 2,000 heroes who sacrificed their lives for our country.

I urge the President to pay tribute to their memory by offering this country a concise, realistic plan that will allow us finally to transfer power to Iraqis and bring our troops home.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Mr. President, I know the chairman is eager to make further progress on the underlying bill, and therefore we will be brief.

A number of Senators have come to the floor over the course of today to express their thoughts or feelings or emotions or sympathies for the families of the over 2,000 military dead in Operation Iraqi Freedom.

At this point, I ask the Senate now proceed to a moment of silence in honor of our fallen soldiers.

The PRESIDING OFFICER. The Senate will now proceed to a moment of silence in honor of our fallen soldiers.

(Moment of silence.)

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, today U.S. military deaths in Operation Iraqi Freedom surpassed 2,000. These brave men and women in uniform sacrificed their lives for the cause of freedom and for the security of their fellow Americans. We owe them a deep debt of gratitude for their courage, for their valor, for their strength, for their commitment to our country. They heard the call of duty and they took the fight to the enemy so that the enemy would not strike us here at home. These brave men and women join a pantheon of heroes who have fought and died over the years for our country.

Because of their determination, Saddam Hussein now faces a trial for his life; because of their resolve, the Iraqi people are exercising their right to self-rule. And today, because of their bravery, today Iraq has a new constitution, a historic milestone on the march toward freedom and the fight against terror.

Our hearts do go out to all the families who have lost loved ones on the battlefield as well as the thousands of men and women who have been injured. Their valor, their courage are a shining example to all. We owe them our deepest respect. We offer our continued support and our continued prayers. We pledge to stand firm in the war on terror. We will accomplish the mission to secure a free and prosperous Iraq and, in turn, secure the freedom and safety of America.

We will persevere and we will win—for our heroes in uniform; for the United States of America.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, this is a solemn occasion, to have the Senate stand in silence in respect for the sacrifices made by the fighting men and women of this country. Our thoughts go out, not only to the lives of these individuals but to their families. This is only a small token of what we can do to recognize the sacrifices they have made, leaving behind their sons and daughters, the husbands and wives and friends. We all have been touched by the deaths of these 2,000 in one way or the other.

It is my prayer that the sacrifices made will prove to have been warranted.

I am grateful to my colleagues for being here today on both sides of the aisle, and I am grateful to Senator FRIST who has joined in this moment of silence. It is something that I will remember, and I hope we all do.

Mr. KENNEDY. Mr. President, as of today, 2,000 American soldiers have been killed in combat in Iraq.

Since last January's election in Iraq, we have lost 565 American soldiers; 74 of those soldiers have been killed in October—an average of three a day. An additional 15,220 have been wounded, and more than 7,000 of whom were unable to return to combat.

The youngest of America's fallen soldiers was just 18. The oldest was 59. Nearly three quarters had not even celebrated their 30th birthday. They came from every State in the Nation. This includes 38 soldiers from my own State of Massachusetts.

They are the best of America, and we are proud of each one. Although I disagree with the President about Iraq, I honor the service and sacrifice and dedication of each of these brave men and women.

Our Armed Forces are serving ably in Iraq under enormously difficult circumstances and the policy of our Government must be worthy of their sacrifice. Unfortunately, it is not, and the American people know it.

Our soldiers in Iraq need more than happy talk about progress from the President. They need more than a public relations campaign.

They need an effective plan to end the violence, and stabilize Iraq, so they can come home with dignity and honor.

Reality is hard medicine to swallow. Facts are stubborn. As the Valerie Plame case makes increasingly clear, the administration stopped at nothing to cover up its misguided and dishonest decision to go to war, and our servicemen and women, their families, and friends are paying an unacceptable price. They deserve better—much better from their President and so does the Nation.

It was wrong for the President to rush to war for such a deeply questionable cause. President Bush once said that the war in Iraq was a catastrophic success. He's half right in one sense. The war has been a catastrophe—for our soldiers and their families, for the war on terrorism, and for America's standing in the world. It has made the United States more hated in the world than at any other time in our history.

Beyond the cost in human lives and to our national security, there has been an enormous financial cost.

American taxpayers are spending \$195 million each day in Iraq.

For the cost of fighting the war in Iraq for one day, we could make significant improvements in homeland security.

We could provide 4 million American households with emergency readiness kits. We could close the crisis communications technology gap for 41 small cities, 36 mid-sized cities, or 6 large cities, so that Federal, State and local first responders can talk to one another during an emergency.

We could purchase 780 fire trucks for improving local emergency response capabilities, and we could employ 5,000 fire fighters, 4,000 police patrol officers, or 7,000 paramedics and emergency medical technicians for one year each.

For the cost of fighting the war in Iraq one day, we could double the Federal budget for nuclear reactor safety and security inspections to ensure that these potential terrorist targets are adequately protected.

We could pay for 1,100 additional border patrol agents to better guard our borders against potential terrorists.

We could provide 9,700 port container inspection units to detect hazardous materials being trafficked into the country.

Obviously, the \$195 million a day we spend in Iraq could be better spent on the all-important areas of jobs, education, and health care, which the Senate is debating today. Instead of spending those funds in Iraq, we could spend them on better teachers, better financial aid for college students, better health care for families, and countless other priorities whose budgets are being cut back because of Iraq. I ask unanimous consent that a document I've prepared outlining the various ways \$195 million dollars a day could be spent on pressing priorities at home be printed in the RECORD.

Instead of covering up mistakes in Iraq, it is time for the President to admit them, to adopt an effective strategy to end this war and begin to bring our troops home, and to stop ignoring the very real priorities facing the Nation and the many many challenges facing us at home and abroad.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE REAL COST OF THE IRAQ WAR TO AMERICAN TAXPAYERS—\$195 MILLION PER DAY

For the cost of fighting the war in Iraq for one day, we could . . .

HOMELAND SECURITY

One day in Iraq could provide 3.97 million households with an emergency readiness kit.

One day in Iraq could close the financing gap for interoperable communications in 41 small cities, 36 mid-sized cities, or 6 large cities so that Federal, State and local first responders can talk to one another during an emergency.

One day in Iraq could purchase 780 fire trucks for improving local emergency response capabilities.

One day in Iraq could employ 4,919 fire fighters, 4,222 police patrol officers, or 7,052 paramedics and emergency medical technicians for one year each.

One day in Iraq could double the Federal budget for nuclear reactor safety and security inspections to ensure that these potential terrorist targets are adequately protected.

One day in Iraq could pay for 1,101 additional border patrol agents to better guard our borders against potential terrorists.

One day in Iraq could provide 9,750 port container inspection units to detect hazardous materials being trafficked into the country.

One day in Iraq could provide 1,332 explosive trace detection portals for airport screening of passengers, as recommended by the 9/11 Commission.

One day in Iraq could provide 6,290 local law enforcement agencies with a bomb-detecting robot.

One day in Iraq could provide 4,875 narcotics vapor and particle detectors.

EDUCATION

One day in Iraq could cover the full cost of attendance for one year at a public college for more than 17,100 students.

One day in Iraq could provide more than 79,000 needy college students with a Pell grant.

One day in Iraq could enroll 27,000 more children in Head Start.

One day in Iraq could employ 4,269 elementary school teachers or 4,027 secondary school teachers for one year.

HEALTH CARE

One day in Iraq could provide health insurance coverage to 344,500 working Americans to give them a break from the rising cost of coverage.

One day in Iraq could provide health insurance coverage for one year to 380,900 uninsured children in America.

One day in Iraq could employ 3,597 additional registered nurses for one year.

One day in Iraq could immunize every person over 65 in the U.S. against influenza 4.6 times over.

One day in Iraq could immunize every baby born in the U.S. last year against measles, mumps, and rubella 14.2 times.

LABOR

One day in Iraq could provide unemployment benefits for almost 722,000 unemployed Americans for one week.

One day in Iraq could fund Social Security retirement benefits for one day for over 6.75 million Americans.

One day in Iraq could provide comprehensive safety and health training to 121,875 workers.

One day in Iraq could pay for an increase of \$3.34 per hour in the wages of every minimum wage worker in the country.

One day in Iraq could provide paid sick leave to half a million workers for an entire year.

BASIC NEEDS

One day in Iraq could buy 71.55 million gallons of unleaded regular gasoline.

One day in Iraq could pay for one year's gasoline consumption for 97,500 Americans, even at today's elevated prices.

One day in Iraq could buy 63.1 million gallons of fortified whole milk.

One day in Iraq could buy 166.6 million cartons of large Grade A Eggs sold by the dozen.

INTERNATIONAL

One day in Iraq is equivalent to half of the Gross Domestic Product (GDP) of the country of East Timor.

One day in Iraq could feed all of the starving children in the world today almost four and a half times over.

One day in Iraq could vaccinate three-quarters of the children in Africa for measles and give millions a lifetime protection from the disease.

One day in Iraq could build 5,571 AIDS clinics in Africa.

One day in Iraq could provide 650,000 women in Africa living with HIV/AIDS antiretroviral treatment for one year to extend their lives and improve the lives of their children.

One day in Iraq could provide one third of the aid needed for earthquake relief for the four million people affected in South Asia.

Mrs. BOXER. Mr. President, today is a very somber day. The U.S. military death toll reached 2,000 in Iraq, a figure that I—and every American—hoped we would never reach. Our hearts go out to the families and friends of those who have lost loved ones.

I pray for these young Americans, may they rest in peace; and I pray for their families, may they heal.

Let us honor their lives and their memory.

And let us honor the lives of those who continue to serve by developing a credible plan for Iraq. It is time for this administration to level with the American people and provide a strategy for success.

As the current investigation into the leak of CIA agent Valerie Plame re-

minds us, this administration took us to war on false intelligence, misstatements, and exaggerations.

This administration told the American people that we had no other option but to go to war because the regime of Saddam Hussein posed a threat to the security of the United States. However, no weapons of mass destruction have been found, and there was no serious link between Iraq and al-Qaida.

The administration also provided rosy scenarios and false expectations about how the United States would be greeted as liberators in Iraq and how the war would be brief. In fact, Secretary of Defense Donald Rumsfeld actually said in February 2003 that the war "could last six days, six weeks. I doubt six months."

Yet here we are, 2½ years later, lamenting the death of the 2,000th soldier in Iraq. Of those 2,000 soldiers, 464 of these soldiers were either from California or based in California.

Even as attacks on American soldiers continue, the administration refuses to level with the American people. In May 2005, Vice President CHENEY proclaimed that: "I think the level of activity that we see today in Iraq from a military standpoint, I think will clearly decline. I think they're in the last throes, if you will, of the insurgency."

Since that day—since Vice President CHENEY told us that violence was coming to an end in Iraq—more than 300 Americans have lost their lives. And the violence continues to escalate.

Today we do not just lament the strategic disaster in Iraq, the loss of U.S. credibility around the world, and the overwhelming costs to the American taxpayer. Above all, we mourn the tragic deaths of 2,000 young Americans.

These men and women voluntarily put their lives on the line to defend us when they put on the uniform of the United States Armed Forces. They put their trust in the Government that we would only send them to war if there was no other recourse.

In rushing to war, in twisting and revising the case for war, and in failing to plan for the aftermath of the war, this administration broke the trust with these young men and women at a catastrophic cost.

These 2,000 young men and women have sons and daughters, husbands and wives, mothers and fathers, friends and extended family, all of whose lives have been forever changed by the consequences of this reckless war.

Today, let us remember these 2,000 brave Americans. Let us honor their lives and their memory by bringing this war to an end.

Ms. MIKULSKI. Mr. President, we have reached a milestone in Iraq. Two thousand U.S. servicemen have been killed, including 42 Marylanders. We must not talk about this in terms of just numbers and statistics. Each individual has left behind a legacy, a unique life story.

Today, I want to pause to remember five young men from Maryland who

died in Iraq in the last 10 days: Army SGT Brian R. Conner, Army SPC Samuel M. Boswell, Army SPC Bernard L. Ceo, Marine LCpl Norman W. Anderson, III, and Army SPC Kendell K. Frederick. Our condolences go out to their families, as well as our gratitude and our appreciation for these brave young men. To honor those who have died, we must remember the way they lived. Let me tell you about them:

SGT Brian R. Conner of Gwynn Oak, MD was just 36 years old. He was a member of the Maryland National Guard's 243rd Engineer Company, in Baltimore. Sergeant Conner was one of three Army National Guardsmen killed October 14 in an accident northwest of Baghdad. A tractor trailer struck their humvee, setting it on fire and detonating ammunition aboard. Sergeant Conner was a lieutenant in Baltimore Fire Department, having joined in 1993. He had served in the Maryland National Guard since June 1989. Sergeant Conner leaves behind three daughters, ages 10, 15, and 21, and his beloved 3-year-old grandson. He is survived by his mother Hortense Connor, his brother Paul Edwards, and sister Cherice Conner Davis. He is also mourned by his brothers and sisters in the Baltimore Fire Department. One family friend said of Sergeant Conner: "Brian was not only a great man who accomplished many of his dreams—he was someone loved and cared for. His values will live on." May God bless Brian Conner.

SPC Samuel M. Boswell of Elkridge, MD, was 20 years old. He was also in the Army National Guard, killed in the same accident that took Sergeant Conner's life. Specialist Boswell joined the National Guard in June 2003, right after graduating from the technology magnet program at River Hill High School in Clarksville. He is mourned by his father, Anthony L. Boswell, and by his seven brothers and sisters. Describing his youngest brother, Michael Boswell said, "Sam was probably the happiest person you'll ever meet. He was always walking around with a smile on his face. . . . He always wanted to do things that would help other people whether he knew them or not." May God bless Sam Boswell.

SPC Bernard L. Ceo of Baltimore was 23 years old. He was the third member of Maryland's Army National Guard killed on October 14. Specialist Ceo enlisted in the Army in December 2001, joining the military to help pay for college. He dreamed of being a teacher, and when he wasn't serving with the Guard, he worked with students with special needs at Kennedy Krieger High School Career and Technology Center. Specialist Ceo was carrying on a proud family tradition of military service: his father and several uncles served in Vietnam. He leaves behind his parents Rosemarie and Fred Ceo, fiancée Dajae Overton, and her two young children, whom he was raising as his own. Specialist Ceo's coworker said, "He was a thoughtful, introspective young guy.

He would have been an excellent teacher." May God bless Bernie Ceo.

Marine LCpl Norman W. Anderson, III, from Parkton, MD, was 21 years old. He served with the U.S. Marines' 3rd Battalion, 6th Marine Regiment, 2nd Marine Division, based at Camp Lejeune, NC. Lance Corporal Anderson was killed by a suicide car bomb on October 19 in Karabilah, near the Syrian border. He was a 2002 graduate of Hereford High School, where he was a running back on the football team. He joined the Marines in December 2003, and had already served one tour in Afghanistan. He is survived by his wife Victoria Anderson, his parents, Robyn and Norman, and his sister Brooke. The last time he was home he told his mother that, if he was killed in Iraq, she should know that he died doing what he wanted to do. May God bless Norman Anderson.

Army SPC Kendell K. Frederick, from Randallstown, MD, was 21 years old. He was an Army reservist, assigned to 983rd Engineer Battalion, in Monclova, OH, where he served as a mechanic who worked on power generators. Specialist Frederick was killed outside Tikrit when a roadside bomb detonated near the vehicle he was driving. He was a 2004 graduate of Randallstown High School. Specialist Frederick leaves behind his parents, Michelle Murphy and Peter Ramsahai, his stepfather Kenmore Murphy, and two sisters and one brother. May God bless our Kendell.

Mr. President, similar stories are being told in every community, across the Nation. Stories about volunteers who left behind friends and family—in the case of guardsmen and reservists, they also left behind jobs—to protect our country and help bring freedom to people of Iraq. We honor their service and sacrifice, not just with words, but with deeds.

First, we must support our troops, by ensuring they have the equipment they need to stay safe and accomplish their mission. Second, we need a workable plan to drawdown our troops. Today, there are 159,000 U.S. troops in Iraq. Our strategy for Iraq must be worthy of sacrifices they have made. We need to involve the international community more, getting help to seal Iraq's borders and keep out foreign fighters and terrorists. We used to be at war with Iraq, now we are at war in Iraq with insurgents.

We must also continue to support Iraqi political process. The constitution has been approved by more than 78 percent in an election that included 63 percent of Iraq's registered voters. Iraq can now move forward with parliamentary elections. We should continue to support their progress toward democracy. We need better progress rebuilding Iraq's military. Iraqis need to fight for Iraq. Our training program has been slow to start. We seem to be making progress, but not fast enough. We should let our allies help us in this effort. Finally, let's get that Iraqi oil

going, so they can start to pay their own bills.

We need to see faster progress on all these things. When these things happen, we can begin to withdraw our troops in stages and bring them home. Our military men and women have sacrificed in Iraq. They honored our country by volunteering to serve. We must honor them with an effective plan to finish their work, and bring our troops home.

Mr. DURBIN. Mr. President, I ask unanimous consent that Senator MIKULSKI of Maryland be recognized for 10 minutes to speak and that I be allowed to follow her to speak for 10 minutes.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection, it is so ordered.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, today we reach a milestone in Iraq.

Two thousand U.S. service members were killed, including four Marylanders.

A few weeks from now we will be celebrating Thanksgiving. For 2,000 families, there will be forever and a day an empty chair.

The 2,000 members of our armed services who died, we cannot think about them in numbers and statistics. We in Maryland have lost 42 soldiers, and most recently we have lost 5 in just this last week alone. Each individual left behind a legacy, a unique story.

Today, as I come to the Senate floor, I wanted to remember the five young men who died in the last 10 days, tell you their names, and tell you a little bit about them. Army SGT Brian R. Conner, Army SPC Samuel M. Boswell, Army SPC Bernard L. Ceo, Marine LCpl Norman W. Anderson, III, Army SPC Kendell K. Frederick.

Our condolences go out to their families, as well as our gratitude and our appreciation for those who have died. To honor those who have died, we must remember the way they lived.

Let me just tell you about them. SGT Brian Connor was only 36, a member of the Maryland National Guard's 243rd Engineer Company. He was one of three Army National Guardsmen killed on October 14 northwest of Baghdad. Their humvee carrying munitions was set on fire and detonated. The ammunition exploded and all three died. Sergeant Conner, Specialist Boswell, and Specialist Ceo.

Sergeant Conner was a lieutenant in the Baltimore Fire Department. He joined in 1993. But he was a real star. He rose quickly through the ranks to become a lieutenant. The firehouse put his hat and his coat aside as a perpetual remembrance. He leaves behind three daughters, one 10, one 15, the other 21, and a grandson he loved so much.

A family friend said about Sergeant Conner:

Brian was not only a great man who accomplished many of the dreams, he was someone who loved and cared for people. His values will live on.

God bless Brian Conner.

Then there is SPC Samuel Boswell from Elkridge, MD, another guy from the Army National Guard, killed in that same accident. He joined the Guard in 2003. He had just gotten out one of our technology magnet schools called River Hill High School in Clarksville. He was one of eight brothers and sisters. He joined the military because he wanted to have a future. He wanted a long career, and he wanted to follow the American dream while protecting the American homeland. Here is what Michael Boswell said about his brother:

Sam was probably the happiest person you'll ever meet. He was always walking around with a smile on his face. He always wanted to do things that would help other people whether he knew them or not.

God bless you, Samuel Boswell.

Then there was Specialist Bernard L. Ceo, from Baltimore. He was just 23. He enlisted in the Army in December 2001 to help earn money for college. Specialist Ceo dreamed of being a teacher, and when he wasn't on duty as Guardsman, he worked with students with special needs at the Kennedy Krieger High School Career and Technology Center. He was carrying on a proud family tradition of military service—his father and several uncles had served in Vietnam. Specialist Ceo leaves behind his parents, Rosemarie and Fred, his fiancée Dajae Overton, and her two children, whom he was raising as his own. God bless you, Bernie Ceo.

Then there was Norman Anderson, III from Parkton, MD. He was a marine based in Camp Lejeune. He was killed on October 19. A suicide bomber killed him. He had just graduated in 2002 from Hereford High School, where he was a running back on the football team. Under the Friday Night Lights this week, they took his helmet and his sweatshirt and put them aside. The team gave him a salute. They really knew that Norman Anderson gave one for the Gipper and one for the United States of America. He joined the Marines in December 2003. He already served one tour in Afghanistan. He came back home and was recently married to a wonderful woman named Victoria. But he went back into the field one more time because he felt it was his duty. The last time he was home, he told his mother if he died she should know that he died doing what he wanted to do.

God bless Norman Anderson, III.

Then we come to Kendell K. Frederick, U.S. Army, only 21 years old, from Randallstown, MD. He was in an engineering battalion. He was a mechanic who worked with power generators. He wanted to do something for his country as well as for himself. He graduated from one of our community high schools called Randallstown High School. He was killed outside Tikrit. A roadside bomb detonated near the vehicle he was driving. He leaves behind his parents, a stepfather, and other family

members. He had two sisters and one brother. But he was willing to go into the military in order to be able to earn what he needed to earn to be able to go on to college.

All of Randallstown mourns our Kendell. We want to say to Kendell Frederick, God bless you.

Senators of the U.S. Senate, and to all who are watching, those are five Marylanders. Knowing they will never be back, we can never forget them. The best way for a grateful nation to honor them is to stand up for our troops. We need to make sure they have the right pay, that they have the right benefits, that they have the right equipment to protect themselves. We also need to have a workable plan to draw down our troops. Our strategy for Iraq must be worthy of the sacrifices our troops have made. The U.N. needs to get more involved in international burden sharing—in securing Iraq's borders. We need to continue supporting the Iraqi political process, and work with our allies to boost training for the Iraqi military. Iraqis want to fight for Iraq, and they should. Finally, let's get that Iraqi oil going, so they can pay their own bills. We need to see faster progress on all these things. When these things happen, we can begin to withdraw our troops and bring them home with the honor they have earned.

God bless our men and women in the U.S. military and all those who passed on. And wherever there is an empty chair, we should always fill it with our hearts and our remembrance.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, first let me thank Senator FRIST and Senator REID for this extraordinary occasion, for this bipartisan moment of silence.

Today, we learned that our Nation had crossed a tragic threshold: 2,000 American service men and women have now been killed in Iraq, and more than 15,000 of our sons and daughters have been injured and have suffered painful and permanent injuries.

All are equal in their tragedy. The 2,000th death is no more heartbreaking than the first or the 50th. But the enormity of this lost—of 2,000 of our best and bravest—breaks America's heart.

We have seen their pictures. When you look at the faces of the fallen, you are struck by several things.

First, you are overwhelmed by how young they are. Three hundred and fifty-seven of these men and women never saw their 21st birthday.

As a father, I cannot imagine a greater grief than losing a child so young.

When you see the photos of our fallen heroes, you are struck by the resolve in their faces. They were young but they had courage, a sense of duty and purpose to volunteer and defend America.

In a few cases, you are also struck by some of the faces that are quite old. The oldest American killed in Iraq was 60 years old. The faces look like America because they are America. Most were born here. Some were Americans and soldiers by choice.

These 2,000 of our best and bravest came from every State of the Union and from the Territories. Seventy-nine were from my home State of Illinois. Almost half of those killed were soldiers in the Army, but members of this saddest of all rollcalls came from every branch of the service.

About one in four of those killed were members of the National Guard and Reserve, one more measure of the enormous sacrifice that these branches of our service are making.

All of these fine men and women volunteered to serve their country. All 2,000 gave their lives in that service.

The great World War II correspondent, Ernie Pyle, wrote a book entitled "Brave Men." It is a collection of some of his best writing in the European theater. This is what he wrote in the dedication:

In solemn salute to those thousands of our comrades—great, brave men that they were—for whom there will be no homecoming, ever.

It is right that we honor the sacrifices of the great, brave men and women we have lost in Iraq and the sacrifices of their families and loved ones.

But words alone are not enough. We owe our fallen soldiers and their families answers. We owe them accountability. We owe them leadership as brave as their service. America cannot allow our Nation to drift into a war without end in Iraq.

GEN John Abizaid, the Commander of U.S. Central Command, said recently that the key to military success in Iraq "is whether we can learn from our mistakes."

We owe it to those who have fallen, to their loved ones, and to those who are still in harm's way, to change course when needed.

Our troops adapt to changing tactical situations on the ground—and so, frankly, do our enemies. Political leaders in Washington must do no less.

Earlier this month, the people of Iraq voted on a constitution. In December they are scheduled to hold parliamentary elections, and then, we hope, a new government will take over that can lead Iraq forward.

These are important milestones. They should be milestones not only for the Iraqis but for our troops as well. Each step the Iraqis take toward the successful establishment of self-governance should bring our troops a step closer to home.

Today is not a day to cast blame or question past decisions. Today is a day to mourn our dead, to honor their service and to extend our most heartfelt thoughts and prayers to their families. But we cannot put off a debate over the best course for the future. Two thousand brave soldiers, sailors, airmen, and marines have given their lives for America. More than 15,000 have suffered devastating, life-changing wounds. Over 150,000 still stand in harm's way.

The choice we face in Iraq is not a choice between resolve or retreat. The

men and women in our military and their loved ones deserve a clear path to stability in Iraq so they can come home as soon as humanly possible. We do not honor our fallen soldiers simply by adding to their numbers. At some moment today or very soon we will cross that sad threshold and begin the count toward another thousand lives.

The American people and every elected leader of both political parties owe it to our soldiers and their families to never allow this war in Iraq to drift and stall as lives are lost and bodies are broken. One more soldier's life lost in Iraq is one too many. The 2,000 funerals, 2,000 flag-draped coffins, 2,000 grieving families—America mourns the loss of these brave soldiers. America's leaders must redouble their efforts 2,000 times over to bring this war to an end.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, I want the majority leader to understand how much I appreciate his breaking up his schedule to come here to offer this unanimous consent request. I appreciate it very much.

As I indicated a short time ago, the solemnity of this occasion is significant. I want the record to reflect that we have reached, as has been said here several times today, regrettably, a milestone in Iraq; that is these 2,000 killed. Frankly, Mr. President, it is no longer 2,000. It is now 2,002.

There has been—and will continue to be—heated debate about our involvement in Iraq, about the flawed pre-war intelligence that some say existed, and it appears pretty certain at this time, the selling of the war by administration officials, the poor planning, and the ideologically driven attempt by the President and others to reshape the Middle East through the force of arms.

These debates will go on, and they should. That is what our country is all about. But today—right now this minute—I think it is appropriate to set the debate aside and reflect on this solemn mark that we have reached so that we can pay tribute to the heroic services and the sacrifice that each of these brave Americans made to our Nation.

A few months ago, I was able to travel along with a number of my colleagues to the Middle East where I spent time with scores of Nevadans serving in Iraq. Any one of us who traveled to the region meets with U.S. troops and comes back so impressed and so proud of the men and women who serve our country. Many are young, as Senator DURBIN has so graphically described, just out of high school, and this is their first time out of the country. Others are more senior, having served in the first Gulf war or in Afghanistan. Most were given short notice, year-long deployment, and were serving away from family, children, spouses, parents and friends.

The Nevada Guard unit that I spent time with was tasked with trans-

porting critical supplies from Kuwait through Iraq and into Baghdad to support combat forces. These were dangerous missions, carried out with the real possibility of an attack by Iraqi insurgents.

I also met with some young Marines from Nevada who were assigned to protect U.S. facilities in the fortified Green Zone. Eager, enthusiastic, and with a great sense of spirit, these young men took pride in their duties, and we took great pride in them.

But there can be no question that the effort in Iraq has taken a huge toll on Americans, and on Nevadans.

So far, 13 Nevadans have died in this conflict. But the number 13 does not tell the whole story.

Let me take just a minute. I will be brief. But I would like to, as my dear friend, the junior Senator from Maryland, outlined, tell you just a little bit about these 13 Nevadans.

Marine LCpl Donald Cline, Jr., of Sparks as the first Nevada soldier to die in Iraq. During the initial invasion of Southern Iraq, LCpl Cline was killed in combat while assisting injured soldiers on March 23, 2003. He left behind a wife and two sons, Dakota and Dylan.

Marine 1LT Frederick Pokorney of Nye was killed in action on March 23, 2003. He left behind a wife and a 3-year old daughter. Lieutenant Pokorney was the first Marine from Operation Iraqi Freedom to be buried in Arlington National Cemetery.

Sgt Eric Morris of Sparks was only six weeks into his tour of duty when he was killed by a homemade bomb on April 28, 2005. He was awarded the Purple Heart and the Bronze Star for his bravery.

Marine Cpl William I. Salazar of Las Vegas was killed on October 15, 2004, in a suicide bomb attack. Corporal Salazar was the first Marine combat photographer to be killed in action in more than 35 years. He died on his father's birthday.

Marine PFC John Lukac of Las Vegas was killed on October 30, 2004, when his convoy was attacked. The son of immigrants who escaped Communist rule in Czechoslovakia, Private Lukac had been interested in joining the Marines since the age of 12.

LCpl Nicholas Anderson of Las Vegas died on November 12, 2004, when his Humvee crashed. It had only been one year since he graduated from Bonanza High School.

Army PFC Daniel Guastaferrero of Las Vegas was determined to join the Army, despite suffering a snowboarding injury that left him with a steel plate in his arm. Private Guastaferrero died on January 7, 2005, when his vehicle ran off the road. He was 27 years old.

Marine LCpl Richard A. Perez, Jr. of Las Vegas died in a truck accident on February 10, 2005. LCpl Perez enlisted in the Marines shortly after his graduation from Coronado High School and volunteered to go to Iraq. He died only 10 days before he was supposed to return home.

Cpl Stanley Lapinski died on June 11, 2005 from injuries sustained in a roadside explosion. After college, he worked at several jobs, finally winding up at the Bellagio Hotel in Las Vegas. September 11 prompted him to join the Army. The 37-year old was known in his unit as "Pops."

Marine Cpl Jesse Jaime of Henderson was killed on June 15, 2005 when the vehicle he was riding in hit an explosive device. The 22-year-old had followed his twin brother's footsteps by enlisting in the Marines.

Spc Anthony S. Cometa of Las Vegas was killed on June 16, 2005 when his Humvee flipped over. He was a member of the 1864th Transportation Company, which I met with when I visited Kuwait and Iraq. Specialist Cometa was the first Nevada Army National Guard soldier to die in Iraq. He died just one day after his 21st birthday.

2LT James J. Cathey of Reno was killed by a roadside bomb on August 21, 2005. After graduating from the University of Colorado in 2004, he headed to Quantico, VA, for officer training. Known as "Cat," Cathey and his wife had just found out they were going to have their first child before he left for Iraq.

Spc Joseph Martinez of Las Vegas was killed on August 27, 2005. He was killed in combat while serving his second tour of duty in Iraq. His mother said he always wanted to be a soldier.

To all of these Nevada families—and to the families of all 2,000 U.S. troops who have fallen in Iraq—our Nation will forever be in debt to you. Your sons and daughters are heroes, and their sacrifice will never be forgotten.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I ask the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2226

Mr. SALAZAR. Mr. President, I call up amendment No. 2226, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2226.

Mr. SALAZAR. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965)

At the end of title III (before the short title), insert the following:

SEC. ____ . APPLICATIONS FOR IMPACT AID PAYMENT.

Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2) and (3)), the Secretary of Education shall treat as timely filed, and shall process for payment, an application under section

8002 or section 8003 of such Act (20 U.S.C. 7702, 7703) for fiscal year 2005 from a local educational agency—

(1) that, for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for the fiscal year;

(2) for which a reduction of more than \$1,000,000 was made under section 8005(d)(2) of such Act by the Secretary of Education as a result of the agency's failure to file a timely application under section 8002 or 8003 of such Act for fiscal year 2005; and

(3) that submits an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.

Mr. SALAZAR. Mr. President, Senate amendment No. 2226 will provide Impact Aid to the children of the service personnel in Fort Carson, CO. It will restore \$1.2 million in needed educational Impact Aid funding to the El Paso school district. The money for this amendment has already been appropriated and sits within the Department of Education. The El Paso school district educates thousands, serving our men and women at the Fort Carson military base. Many loved ones of the students and staff of the El Paso school district have been deployed to Iraq as part of Operation Iraqi Freedom. In fact, over 11,000 soldiers from Fort Carson are currently deployed in Iraq today. That is one-half of the fort's total force.

Due to a technical error, the Department of Education denied the school district access to \$1.2 million set aside for that school district's program. The result is the district may have to eliminate as many as 12 teachers and teachers' aides positions. This amendment simply corrects a technical error between the district and the Department of Education and permits the school to access money already set aside for it.

I note, too, that I have discussed this issue with the HELP Committee.

Chairman ENZI and Ranking Member KENNEDY have graciously consented to the inclusion of this amendment on this bill. I have also been in close contact with Senators from Arizona and New Mexico who face similar challenges. They support this measure as well.

Mr. President, I ask unanimous consent to set this amendment aside to call up amendment No. 2224 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I would suggest, if I may, that we conclude action on this amendment, with a brief reply by this side, so we can move ahead with the amendment, anticipating its adoption. I think that would be a more orderly process. So technically, I do object—with that suggestion.

The PRESIDING OFFICER. Objection is heard.

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, as I said, I think it is preferable, as a proce-

dural matter, to take up the amendments one at a time so we can conclude debate on the amendments.

I believe this amendment is a good amendment. It would permit the Secretary of Education to treat as timely filed applications from El Paso, CO, school district and Window Rock, AZ, for impact aid. There is no cost involved. There is sound explanation as to why they were not timely filed.

In order for the Secretary of Education to make the payments, there needs to be legislative action. The Senator from Colorado has provided the vehicle for doing so. I support the amendment and urge its adoption.

The PRESIDING OFFICER. Is there further debate on the amendment?

The Senator from Colorado.

Mr. SALAZAR. Mr. President, I would then ask my friend from Pennsylvania whether we should move for unanimous consent on the adoption of the amendment I just proposed.

Mr. SPECTER. Mr. President, the amendment on impact aid, I urge its adoption, or you can articulate it for unanimous consent to be adopted. One way or another, let's adopt it and move on.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 2226) was agreed to.

Mr. SPECTER. Mr. President, I thank the Chair.

Mr. SALAZAR. Mr. President, I thank the Chair, and I also thank the chairman of the committee, my friend from Pennsylvania.

AMENDMENT NO. 2224

Mr. President, I call up amendment No. 2224 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2224.

The amendment is as follows:

(Purpose: To require the Secretary of Education to conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act)

At the end of title III (before the short title), add the following:

SEC. ____ The Secretary of Education shall conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.) based on, among other things, evidence of deterrent effect, strong research design, sustained effects, and multiple site replication. The study shall also include information on what regular assessment mechanisms exist to allow the Department of Education to evaluate the efficacy of such programs on an ongoing basis. Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall submit a report to Congress describing the findings of the study.

Mr. SALAZAR. Mr. President, I am a proponent of evaluating the effectiveness of the actions we take and the

programs we enact here in this Capitol. That is because I believe that results do matter. At the end of the day, we can all say what we tried to do, but Americans will judge us by the results we achieve. We all have a responsibility to see that taxpayer dollars are spent wisely and well.

Amendment No. 2224 is a "results matter" amendment. It will simply require the Department of Education to conduct an assessment of the effectiveness of youth violence prevention programs.

These programs are vitally important in my home State of Colorado and across the Nation. During my time as Colorado's attorney general, I spent much of my time working on the investigation of the horrific murders involving many young people at Columbine High School, which remains today the bloodiest school shooting in American history.

As we worked to learn the lessons from that terrible tragedy in Colorado, we also attempted to implement programs in our schools to create safer schools and safer school communities. As I went through the process of assembling information about how we create the safest school environments possible, it became obvious to me that though we spend literally hundreds of millions of dollars on programs intended to deal with the issue of youth violence prevention, we do not know whether many of those programs work. Indeed, when we look at the facts and we look at what the science tells us, many of those programs actually harm our children more than they actually help our children.

So it is important we measure the effectiveness of these programs. This amendment will ask the Department of Education to do exactly that. I believe our violence prevention programs should actually work and that we should be able to measure them with the results we intend them to have. We owe it to the next generation to ensure that these programs are as effective as possible in preventing youth violence. This amendment will do this by providing an assessment of the programs.

Mr. President, I urge adoption of amendment No. 2224.

The PRESIDING OFFICER. Is there further debate?

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the amendment calls for the Secretary of Education to undertake a study to evaluate the effectiveness of violence prevention under the Safe and Drug-Free Schools Program. I think it is a good idea.

So frequently we make appropriations for certain purposes and never have any concrete idea as to how well the programs are working. One area analogous to this is the money we spent on literacy training and job training, so-called rehabilitation in our correctional system. It is not enough we spend the funding, never having an idea as to really what works and what

does not work in terms of stopping recidivism.

I believe the Senator from Colorado has struck a good idea. I support the amendment and join with the Senator from Colorado in urging its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2224) was agreed to.

Mr. SPECTER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2225

Mr. SALAZAR. Mr. President, I call up amendment No. 2225 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2225.

Mr. SALAZAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for a study of national service programs in the rural United States)

On page 196, strike line 14 and insert the following:

tional poverty level: *Provided further*, That the Corporation shall use a portion of the funds made available under this heading to conduct an evaluation, after consultation with experts on national service programs and rural community leaders, of programs carried out under the national service laws (consisting of that Act and the National and Community Service Act of 1990) in rural areas, to determine utilization of the programs and to develop new and innovative strategies that would prioritize geographic diversity of the programs carried out under the national service laws to increase the presence of the programs in rural areas.

Mr. SALAZAR. Mr. President, amendment No. 2225 also makes sure that our national service programs effectively serve all of our citizens. This amendment calls on the Corporation for National and Community Service to report on efforts to bring its programs to rural communities.

These programs include, first, the AmeriCorps program, which has done wonders, which was created in 1994 and provides opportunities for more than 70,000 Americans to work in 3,000 public agencies, faith-based and other community organizations. Through the various AmeriCorps programs, volunteers tutor and mentor youth, build affordable housing, teach computer skills, take care of our environment, and help communities respond to disasters. In exchange, they are given an opportunity to build career skills, to invest in a community, and are provided a small educational stipend.

The programs also include Senior Corps, which recognizes that seniors

are one of America's most vital resources.

The programs also include Learn and Serve America. Learn and Serve America supports schools, higher education institutions, and community-based organizations that engage students, their teachers, and others in service-learning. Through Learn and Serve, students get their hands dirty. Service-learning connects teaching in the classroom with communities. Nearly 1 million students participated in Learn and Serve programs last year.

The resources marshaled by these service programs—students, elders, and energized and committed people—can help unlock the door to rural development in America. It is my hope that the corporation will come up with new and innovative strategies for increasing rural participation in national service programs. This amendment will not cost additional money and has the potential to benefit rural communities throughout the Nation. We owe it to our rural communities to make sure our national programs are serving them. We must not allow rural America to be left behind by these very important national service programs.

Mr. President, amendment No. 2225 would direct the Corporation of National and Community Service, CNCS, to conduct an evaluation of the presence of their programs in rural America. The study would include programs funded by the Domestic Volunteer Service Act of 1973 and the National and Community Service Act of 1990, presence in Rural America. In addition, CNCS, in consultation with national service experts and rural community leaders, is directed to develop new and innovative strategies to prioritize increasing rural communities' participation in CNCS programs. The amendment does not require additional funding.

As per Jane Oates at 4-8460, Senator KENNEDY has no objections to the amendment.

As per Beth Beuhmann at 4-6770, Senator ENZI is reviewing the amendment language, but appears to have no objections since the amendment is cost neutral.

As per Brandon Avila at 606-6728, Corporation for National and Community Service, Office of Legislation and Government Affairs, they are reviewing but are supporting of conducting evaluations that help increase CNCS programs in rural areas.

In addition, we have touched base with Voices for National Service, a national service non-profit coalition. They are very supporting of the amendment's intent.

Mr. President, I urge adoption of amendment No. 2225.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, before the amendment is adopted, I would like to have an opportunity to speak on this side of the aisle.

This amendment would use a portion of the funds for the Corporation for Na-

tional and Community Service to do a study of national service programs in rural areas. I think, again, this is a good idea which the Senator from Colorado is offering. Rural areas are too often underserved and underfocused. Pennsylvania has more people living in rural areas than any other State in the Union. It might be surprising, but we do.

I think it is a good amendment, and I will now defer to the Senator from Colorado for urging its adoption.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate on the amendment, the question is on agreeing to the amendment.

The amendment (No. 2225) was agreed to.

Mr. SPECTER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2223

Mr. SALAZAR. Mr. President, finally, I call up amendment No. 2223 and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR], proposes an amendment numbered 2223.

Mr. SALAZAR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase funding for the safe and drug-free schools and communities program)

At the end of title III (before the short title), insert the following:

SEC. _____. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$15,000,000 to carry out subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7111 et seq.).

Mr. SALAZAR. Mr. President, amendment No. 2223 addresses a serious and growing problem that we face in our urban and rural communities. As attorney general of Colorado, I saw firsthand the growth of methamphetamine problems in communities throughout my State. Meth usage has increased in rural towns and communities across our Nation.

Some of the facts are startling.

According to the National Association of Counties, meth use is the Nation's most serious local drug problem today.

Secondly, 58 out of 500 county law enforcement officials have said methamphetamine use is, in fact, their largest problem.

Third, 87 percent of county law enforcement officials reported increases

in meth arrests in just the last 3 years. In the West, methamphetamine use is a growing problem. Between 67 and 75 percent of the western counties rated meth as their No. 1 drug problem.

The labs for meth production are rising in rural areas. Because meth can be made in the home and has harsh effects on the environment, it is easier to hide from authorities in rural areas. Three of our most rural States—Missouri, Iowa, and Tennessee—have the highest number of meth labs, with over 5,000 meth labs in those three States alone. Meth labs in Colorado have been on the rise, with over 225 meth labs this last year in my State.

In a report by Congressional Quarterly, the Drug Enforcement Agency said that meth use is the No. 1 drug threat in rural America. The production of meth has spiked, from 327 labs nationwide being busted in 1995 to over 17,000 meth labs busted in 2005; that is, in a period of 10 years, we have gone from busting 327 meth labs to over 17,000 meth labs.

Our health infrastructure has dealt with the meth use increase as well, with emergency room visits due to meth use doubling in 7 years.

This amendment I have proposed will restore \$15 million in funding to the Safe and Drug-Free Schools State grant program, which funds virtually all of the drug prevention programs in our Nation, to ensure that our schools and communities are as safe and drug-free as we can make them. We need to help our young people understand the dangers of drugs, including meth, and this amendment takes an important step toward making this issue the Federal priority it should be.

Mr. President, I thank my good friend from Pennsylvania and yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, this amendment would add \$15 million to a program. While it is a very good program, regrettably, this would exceed the allocation which has been given to the subcommittee. I, therefore, have to oppose it. It is subject to a point of order.

For the record, I raise a point of order under section 302(f) of the Congressional Budget Act, as amended, that the amendment provides budget authority and outlays in excess of the subcommittee's 302(b) allocation under the fiscal year 2006 concurrent resolution on the budget and, therefore, is not in order.

As I had discussed with the Senator from Colorado, this will require 60 votes for the Senator from Colorado to prevail. So the choice is his as to whether we move ahead to vote on it at some point during the consideration of the bill. I ask how the Senator from Colorado would like to proceed.

Mr. SALAZAR. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of the act for pur-

poses of the pending amendment. I ask that we dispense with a rollcall vote and that we just do a voice vote on this amendment at the appropriate time.

Mr. SPECTER. That is acceptable, provided those on the floor can muster a no which either exceeds the ayes or is so recognized by the Chair to be the predominant voice vote. I call for the question on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act in relation to amendment No. 2223.

In the opinion of the Chair, the motion has failed and the Senate has not obtained the three-fifths majority necessary for passage. The point of order is sustained, and the amendment falls.

Mr. SPECTER. I thank the Senator from Colorado for coming forward at this early stage with these four amendments to help move processing of the bill.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I thank my good friend from Pennsylvania for his leadership, not only on this bill but also on so many other important issues that we are working on in the Senate today.

The PRESIDING OFFICER. The Senator from Arkansas.

AMENDMENT NO. 2194

Mr. PRYOR. Mr. President, I rise to speak on the Reed-Collins LIHEAP amendment. I want to speak to all of my colleagues, but mostly I want to address my comments to my colleagues from the South and the West. I thank Senator JACK REED and Senator SUSAN COLLINS for their cosponsorship of amendment No. 2194, bringing forward the issue of LIHEAP funding. We all know that LIHEAP funding has decreased in real dollars for over a decade now. Senators REED and COLLINS have shown true leadership in offering their amendment. Hopefully, we will vote on it today. They have shown national leadership with what they are trying to accomplish.

In the face of rising energy prices, the poorest among us have been hit the hardest. They are paying about \$3 at the pump right now. We have had a record hot summer in many parts of the country. Their utility bills have been going up and up. Low-income families need our help. I believe we can do better. We can think of ways to help our low-income constituents and low-income Americans. The Reed-Collins amendment can do that. It adds \$3.1 billion to the core LIHEAP program. This is what Southern and Western Senators need to understand. I don't want any of my colleagues to be surprised when the amendment comes to the floor for a vote today. I hope that all their staff who are listening will please advise their bosses accordingly. This money will go to LIHEAP's core program.

When I say "core program," that means it will not be designated as emergency funding for the Department

of Health and Human Services. Why is that significant? It is significant for this basic reason. By giving the money to the core program instead of HHS, the amendment helps put low-income heating applicants in Southern and Western States on better footing.

Let me explain. In the past, Health and Human Services has had discretion. When we put emergency funding there, they have had discretion on how they spend it. Their track record has been very clear. They seem to prioritize areas of the country that are heated with home heating oil. What we are trying to do is put the money into the core program, which means it goes into the formula that has been long established in Federal law, which means in States all across America—States such as Arkansas in the South and the West—people who are going to be facing record high prices for natural gas this winter will receive some relief.

Unfortunately, when we get emergency funding, many of the States are not helped as much as the formula would help them. I am not disputing at all that the Northeast and the Midwest face very harsh winters, more so than the South and some parts of the West. But we have low-income citizens in our States, too, who need to heat their homes this winter. I believe it is a more effective and better way to put money into the core LIHEAP program, sending it through the formula, rather than leaving it to the discretion of HHS.

I am happy to join Senators REED and COLLINS in this effort. It is a bipartisan effort. I want my colleagues to understand that. In my view, it is better than past proposals. It is better because it is more equitable in its distribution. It is bipartisan. Southern and Western Senators have a chance to help the people in their States with this vote. It will help people all across America. This amendment also recognizes the high cost of natural gas this winter. All the experts who have looked at this say natural gas is going to be at a record high price for consumers this winter. It acknowledges the high cost of other forms of energy to heat our homes.

I don't want my colleagues to be surprised when this comes to the floor for a vote at some point this afternoon or tonight. I would hate for any Senator to vote against this and then later learn that this is their best opportunity to help their constituents during this very cold and expensive winter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we have been proceeding reasonably well on handling amendments. We had a short period between 12 and 12:30 where we did not have amendments pending. I understand we will have an amendment presented at about 6 o'clock this evening. But that leaves us with an hour and 22 minutes. The distinguished

Senator from Texas wishes to speak for 10 or 15 minutes. We can accommodate his schedule. We have quite a number of amendments which have been filed and others where there has been an indication that there will be amendments. I urge my colleagues to come to the floor. Floor time is hard to find. When this bill moves ahead tomorrow or the day after or Friday, the bill is going to be finished this week, however long it takes us. We are anxious to conclude the work of the Senate. Now is the time.

I yield to my distinguished colleague from Texas 10 to 15 minutes, as he chooses, and ask unanimous consent for his recognition to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Texas is recognized.

IRAQ

Mr. CORNYN. Mr. President, I would like to thank the distinguished manager of the bill, the chairman of the Senate Judiciary Committee, on which I am honored to serve, for his accommodation. I certainly do not want to detract from the efforts to complete this important appropriations bill. I do thank the Senator for yielding to me so I may address some of the historic events occurring today in Iraq. This has been the subject of other speakers. I thought it was important that while this is on the minds of a lot of people, that we talk about some of our successes in Iraq and what the facts are with regard to what reality is like there on the ground.

I am disappointed to hear some Members, primarily on the other side of the aisle, this morning blaming America for the insurgency and claiming that our military does not have a plan for victory. That is not true as a factual matter, and they know it. As recently as a couple of weeks ago, we had the commander of the coalition forces in Iraq, General George Casey, and the CENTCOM commander, General John Abizaid here, along with Secretary Rumsfeld and others, to talk precisely about what conditions were like on the ground in Iraq, how our plan was going, and what the future looked like. We do have a plan, and I wanted to talk about it for a minute.

I want to note my concern that to use Iraq as a convenient political football only undercuts the brave young men and women who are fighting there, not only on behalf of the beleaguered Iraqi people but on behalf of us here. We know that the central front in the war on terror today is in Iraq. We know that foreign fighters and other jihadists who adhere to an extremist ideology, who believe that they can use force to kill innocent Americans because they simply hate who we are and our way of life, that Iraq is where they are being drawn. If we leave prematurely, if we fail to finish the job that we have undertaken there, then it will simply leave a haven available for those who want to train, recruit, and

finance international terrorism and who will then threaten us on our own shores, as we were hit dramatically on September 11.

In reality, it is the critics of our military that have no plan. They simply want to cut and run. They believe in retreat. The most disturbing of all, their proposals serve merely to divide the American people.

I am particularly concerned when I hear people make the argument, as I have heard on the floor of the Senate, that Iraq was not a threat to the United States and the rest of the world. Perhaps these critics need to be reminded of the statement of President Clinton in 1998 which clearly lays out the threat that Iraq posed at that time. President Clinton said, talking about Saddam:

What if he fails to comply, and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop this program of weapons of mass destruction . . . He will then conclude he can go right on and do more to rebuild an arsenal of devastating destruction. And some day, some way, I guarantee you, he'll use the arsenal.

This was on February 17, 1998, President Bill Clinton.

Then, on December 16, 1998, President Clinton said:

The hard fact is that so long as Saddam remains in power, he threatens the well-being of this people, the peace of the region, and the security of the world. The best way to end that threat once and for all is with a new Iraqi government, a government ready to live in peace with its neighbors, a government that respects the rights of its people.

That was President Clinton on December 16, 1998. I am pleased that this body passed that same year the Iraq Liberation Act of 1998, which stated:

It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime.

The Congress passed that legislation because, indeed, Saddam Hussein was a threat in 1998 and remained a threat. Fortunately, today, he is no longer a threat. But we must stay the course.

Complaints without solutions are simply not productive. What are the proposals coming from those who criticize our current efforts in Iraq? Some complain that we don't have enough troops in Iraq to finish the job, but at the same time all they talk about is creating an arbitrary timetable for cutting and running and bringing those troops home before they finish the job, before we finish the job. Then others say our presence in Iraq actually creates additional terrorism. But what they don't explain is what we would leave the Iraqis with if we were to leave prematurely. Again, complaints are not solutions.

GEN George Casey, whom I mentioned a moment ago, who is the leader of the coalition forces in Iraq, said when he testified before the Senate Armed Services Committee:

We're in a tough fight but we've been in tough fights before to advance the cause of democracy and to protect our way of life. We should not be afraid of this fight. We and the Iraqi people will prevail in this battle of wills if we don't lose ours.

Again:

We and the Iraqi people will prevail in this battle of wills if we don't lose ours.

Just this morning, we heard that the Independent Electoral Commission of Iraq has announced an overwhelming majority of Iraqis has approved the country's constitution; that is, 78 percent of those who voted yes to approve that constitution which has now been cleared. You know what. Their voter turnout was 63 percent, better than most elections we hold here in the United States, given our long tradition of constitutional democracy.

Soon the Iraqi people will have a chance to elect their elected representatives in parliamentary elections on December 15 which will provide the final step in their march to democracy and self-determination.

Yes, the Nation of Iraq has made remarkable political progress in the last 2 years, but they still have a way to go to achieve a fully functioning democracy. Last week, Secretary of State Condoleezza Rice testified before the Senate Foreign Relations Committee, and in her eloquent remarks she clearly outlined the political and military strategy in Iraq: Clear, hold, build. Clear, hold, build. That is to clear areas from insurgent control, to hold them securely, and to build durable national Iraqi institutions.

I could not agree more with Secretary Rice. This is a strategy that has been articulated for quite some time now by the President of the United States. This strategy is the only way we will see the blossoming of a democratic Iraq.

In 2003, not that long ago, the brutal reign of Saddam Hussein was brought to an end. The Iraqi people were liberated and a provisional government established. In 2004, a five-step plan was announced to end occupation in Iraq and to bring our troops home, and in 2005 that transition is well underway.

Our strategy is working. The Iraqi people will vote in elections in December and soon will select a government that will serve them for the next 4 years.

As I mentioned, Iraqi participation in these recent elections was very strong, including among Sunnis who boycotted the earlier election last January. These elections were also much more peaceful than the previous elections. A clear path is being charted to implement the rule of law and we must continue our support for the Iraqi people to achieve success.

It is clear that the implementation of the rule of law is the next step, a necessary next step to achieve stability in Iraq. It is in the absence of democracy, it is in the vacuum created by the absence of the rule of law, that there is no forum, no mechanism for justice to

address grievances in which extremism will rear again its ugly head.

Only 2 short years ago the people of Iraq were oppressed by a brutal dictator. Those who privately yearned for freedom held their silence out of fear for their lives. No more. As it has been said before, freedom is on the march.

Part of implementing law and justice, not to mention providing a measure of closure for the people of Iraq, is the trial of Saddam Hussein which began on October 19. Unfortunately, this trial has been postponed because—and it comes as perhaps no surprise—the defense lawyers representing him said they needed more time to prepare.

Well, I for one do not begrudge them additional time, but it is not so much for them, because I doubt any level of preparation, any amount of investigation will absolve Saddam Hussein of the blood that is on his hands, but I do believe that perception is important, and it is important that the public perception, the international perspective be that this is, indeed, a fair proceeding and that Saddam Hussein, even the most brutal of tyrants and dictators, is, indeed, entitled to the protection of the rule of law and entitled to a fair process.

Of course, this trial is one of the first formal acts in the path to restoring the rule of law, and it is important Iraq demonstrate to the world that it can conduct this trial in a fair manner, as it is a foundational and deeply symbolic proceeding.

A series of declassified U.S. intelligence documents and other U.S. agency reports provides a wealth of evidence substantiating Saddam Hussein's human rights abuses and more evidence of Saddam's brutality is provided by the people of Iraq who had suffered under his boot heel for years. A portion of these documents concerned Saddam's responsibility, along with other members of his regime, for the massacre in 1982 of Shiites in a town 35 miles north of Baghdad after an unsuccessful coup d'etat, including an attempt on the dictator's life. It is said he may be tried at least a dozen times for crimes he committed during his regime, to include gassing of Kurds and suppression of a Shiite uprising in the south. However, the Iraqi Government is reportedly considering foregoing additional trials if Saddam is convicted as expected and such conviction results in the death penalty under the laws of the sovereign nation of Iraq.

In remarks before the United Nations, Iraqi Foreign Minister Hoshiyar Zebari said that under the rule of Saddam Hussein, Iraq was "a murderous tyranny that lasted 35 years and today we are unearthing thousands of victims in horrifying testament." In a report entitled "Mass Graves: Iraq's Legacy of Terror," compiled by the United States Agency for International Development, it is estimated that nearly 400,000 Iraqis lie buried in mass graves—Kurds, Shiites, Sunnis, Egyptians, Kuwaitis, Iranians, all killed because neither

Saddam Hussein nor his regime valued life in the least.

I am confident that some day in the not too distant future an appropriate measure of justice will be meted out to Saddam Hussein for the atrocities he committed against his own people, the people of Iraq. And that is as it should be. I am sure that the symbolism of this first tribunal being held in Iraq to try their former dictator is not lost on the people of Iraq. This restoration of the rule of law, this process which is designed to administer justice, is commensurate with the rule of law.

We must continue working with the Iraqi people to ensure that democracy, freedom, progress, free markets, self-governance, and the rule of law are allowed to flourish. It is the only way to promote stability in that country and throughout the greater Middle East.

There is no enemy on the face of the Earth that can defeat the people of the United States of America unless, of course, it is the American people ourselves, by losing our resolve to stay the course, to finish a job that was just in its initiation and which is just in its goals. We must stay the course. We must maintain our resolve. To hear the comments of those here in this body and elsewhere who would attempt to hijack this just cause in the interest of political gamesmanship does nothing but harm our efforts, the resolve of the American people, and undermine the heroic and noble efforts being carried out on a daily basis by our young men and women who are fighting in freedom's cause, not just for us but for the people of Iraq.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, the regular order is that we are back on the bill, is that right?

The PRESIDING OFFICER. We are on the bill.

AMENDMENT NO. 2194

Mr. GREGG. Mr. President, obviously, the amendment that is now pending of the Senator from Rhode Island and the Senator from Maine is an amendment I am sympathetic to. Those of us who come from the northern States, whether they be in the Midwest or New England, recognize that winter can be a beautiful time. Snow is wonderful, lovely, and certainly brings skiers to our region, and we very much encourage that. But it can also be an extraordinarily difficult time, difficult for people who are living on a fixed income, a set income, difficult for folks who have to find ways to heat their home and also meet the expenses of everyday life. Certainly keeping home heating is about as important an expense as you can have in everyday life. It is especially hard on senior citizens, seniors who have obviously fixed incomes in most instances. When the price of their fuel oil jumps significantly, they do not have a whole lot of opportunity to adjust their income because they are no longer earning a sal-

ary, usually, in most instances in order to meet that increase in cost. We have obviously seen a dramatic rise in the cost of energy prices, especially home heating oil and in the gas area for homes. So the issue becomes how do we help these people who, through no action of their own, find themselves in a dire financial situation and facing a very stark situation this winter, should they not have the dollars necessary to pay for their home heating oil.

We are talking about people of very low incomes, people who are on fixed incomes, in most instances people who are senior citizens, and the Low-Income Heating Assistance Program which has been in place for a number of years has been a way of helping these people bridge this period, and it has always been focused on the neediest of the needy. It has been a well-administered program, at least in the State of New Hampshire where people who were clearly in distress, who have situations where they simply are unable to afford the cost of keeping their home heated in the middle of an extremely cold winter, had a place to go to get some assistance.

It is a good program for that reason. It has been strongly supported over the years in a bipartisan way. The administration has consistently funded this program and has, to its credit, always released money early when it was necessary due to cold weather hitting us sooner than might have been originally anticipated under the traditional weather patterns, which is what happened last year. But this year we do face the unique situation of these huge runups in the cost of home heating oil in New England specifically and, of course, the gas across the Midwest and into parts of New England, and this runup is a function of a lot of different events. The Katrina situation is a big part of it. It has disrupted the refining capacity of our Nation rather significantly. Obviously, the instability of the Middle East is another part of it. The demand which is now being created in parts of Asia, especially China and India, as those economies expand, is part of it.

But whatever the reason, we are seeing a dramatic jump in the cost of home heating oil specifically and therefore we know a lot of people, as we head into winter—and believe me, it is getting cold in New Hampshire. In fact, today there was a fair amount of snow in many parts of our State—we know these people are going to need some help, people of very low income, people who are living on very fixed and tight budgets.

So it is appropriate that we expand the LIHEAP program to meet this unanticipated cost which is no fault of anybody's, certainly not those who are receiving the benefit of this program.

The question is how do we expand this program? Over the last few weeks, we have had a number of attempts to expand this program. It really was not

in a manner we call fiscally prudent or responsible, and we simply said we are going to put a lot of money in this program, money not budgeted, money outside the budget, and do it in a manner which would have violated the budget. So points of order were made against those proposals, and those points of order have all been sustained, and appropriately so.

We do have a budget under which we must live. The issue is how do we set priorities within that budget. Right now I believe one of our actions should be to set a priority to put more money into the Low-Income Home Energy Assistance Program. We should absolutely do that, but we should do it in a way that is responsible so we do not end up passing the bills for today's energy costs on to our children by creating more debt.

I don't think senior citizens who benefit from the low-income energy program want us to go into debt to pay for their energy costs and end up with our children paying the cost of their energy today, when their children might need the same type of support and would be less able to get it if they had to pay for not only their energy costs but also pay for the low-income energy costs of the last generation, the generation of today.

The proper way to do this is to increase the LIHEAP program in a way that is fiscally responsible. The best way to do that is to look at what the need is, to begin with. The program costs or additional costs of the program, which we know will probably be generated as they can best be projected, on top of the money already being spent on the program, which is about \$2.4 billion, is about \$1.276 billion.

This number of the additional cost increase, which is a fairly significant number—it is a lot of money—that was essentially reached by calculating the increase in energy cost as a result of a runup in energy prices and finding out how much oil and gas was used last year by this program and then basically converting that to the increase in the cost of the program.

So the number that has been generally agreed to around here as being the correct number and the reasonable number and the number that would be consistent with the historic needs of the program is \$1.276 billion.

It is not me saying this, by the way. I didn't come to that number. Actually, 41 Members of the Senate signed a letter saying that. They wrote the Chairman and Ranking Member of the Senate Appropriations Committee on September 20—not that long ago—and asked for an increase in the Low-Income Home Energy Assistance Program by \$1.27 billion. Signing that letter were Senator COLLINS and Senator REED, who are the authors of the pending amendment, along with, as I mentioned, 41 other Members, which is a fairly large number of the membership of the Senate, many of whom are from

the Northeast. They reached that number through the calculations I just said. So that number is a reasonable number.

I ask unanimous consent that this letter, signed by 41 Senators, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, September 20, 2005.

Hon. THAD COCHRAN,

Chairman, Committee on Appropriations,
U.S. Senate, Washington, DC.

Hon. ROBERT C. BYRD,

Ranking Member, Committee on Appropriations,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN COCHRAN AND RANKING MEMBER BYRD: Hurricane Katrina upset the lives of millions, displacing families from their homes and inflicting severe economic damage. Without question, the people of the Gulf region deserve our support, and we stand ready to help. As the Appropriations Committee considers an urgently needed comprehensive supplemental appropriations bill to address Hurricane Katrina's devastation as well as its economic and energy impacts on the nation, we urge you to include \$1.276 billion in emergency Low Income Home Energy Assistance Program (LIHEAP) funds. With this additional funding, the LIHEAP program will be able to provide the same level of purchasing power as last year. This funding is critical to avoid a looming, but preventable, crisis for millions of additional Americans caused by the soaring cost and diminishing affordability of home heating fuel as winter approaches.

The effects of Hurricane Katrina are being felt by Americans outside of the Gulf Region as gasoline, heating oil, and natural gas prices rise in the wake of this disaster. Indeed, there is an imminent emergency confronting millions of low-income Americans unable to afford the cost of rising energy prices. The current skyrocketing in energy prices coupled with energy debt remaining from last winter and this summer are leading to increased disconnections and arrears among consumers as the winter heating season begins—threatening the well-being of low-income families and seniors. This situation warrants the provision of emergency LIHEAP funding in the comprehensive supplemental request.

Prior to Hurricane Katrina's devastation in the Gulf region, Americans were facing record prices for oil, natural gas, and propane. Hurricane Katrina damaged platforms and ports and curtailed production at refineries in the Gulf of Mexico, the source of almost a third of U.S. oil output. Crude oil for October delivery stands at over \$66 a barrel on the New York Mercantile Exchange. Heating oil prices increased dramatically after Hurricane Katrina. Prices averaged \$1.70 per gallon in July, but now stand over \$2 per gallon. Before Hurricane Katrina struck, the Energy Information Administration (EIA) predicted a 16 percent increase in heating oil costs. This increase comes on top of the 34 percent increase during the 2003–2004 winter. Natural gas prices also rose dramatically after Hurricane Katrina, and now stand over \$12, more than 140 percent increase compared to last year at this time. EIA's Short-term Energy Outlook reports, "The ranges for expected heating fuel expenditure increases this winter are 69 percent to 77 percent for natural gas in the Midwest; 17 percent to 18 percent for electricity in the South; 29 percent to 33 percent for heating oil in the Northeast; and 39 percent to 43 percent for propane in the Midwest." Heating costs for

the average family using heating oil are projected to hit \$1,666 during the upcoming winter. This represents an increase of \$403 over last winter's prices and \$714 over the winter heating season of 2003–04. For families using natural gas, prices are projected to hit \$1,568, representing an increase of \$611 over last year's prices and \$643 over 2003–04. States need additional funding immediately to help low-income families and seniors to ensure they can afford to heat their homes. States are bracing for potentially crisis conditions caused by the lack of affordable heating sources, particularly for seniors and the disabled.

Almost daily, newspapers are reporting on the impacts of higher energy costs for consumers. Hurricane Katrina's impact on energy markets comes on top of soaring energy prices over the past several years. Utilities from New England to Florida to Oregon are seeking rate increases. In addition to rising energy prices, the economic devastation in the Gulf region is likely to impact the national economy. Many more Americans will need LIHEAP assistance than the 5 million households that received aid during FY 2005. State LIHEAP programs are expecting a major increase in applications due to the rapid increase in home energy prices and this additional funding will allow them to address the need for assistance.

Residents and business affected by Hurricane Katrina deserve the nation's full support and financial assistance, and we stand ready and willing to do everything we can to help. We recognize that the Committee is still working to assess the needs wrought by Hurricane Katrina and will face difficult priorities in determining emergency funding. We feel that preventing hardship for millions of Americans by acting to provide LIHEAP emergency funds before we have another crisis on our hands is an important priority. Thank you for your serious consideration of our request.

Sincerely,

Susan M. Collins, Jeff Bingaman, Olympia Snowe, Jack Reed, Joe Biden, Hillary Rodham Clinton, Frank R. Lautenberg, Debbie Stabenow, Carl Levin, Dick Lugar, Chris Dodd, Evan Bayh, Patrick Leahy, Mike DeWine, Mark Dayton, Jay Rockefeller, Barack Obama, Edward M. Kennedy, Jon S. Corzine, Max Baucus, Ken Salazar, Joe Lieberman, Barbara A. Mikulski, Paul S. Sarbanes, Jim Jeffords, Herb Kohl, Maria Cantwell, Kent Conrad, Lisa Murkowski, Byron L. Dorgan, Russell D. Feingold, Charles Schumer, Lincoln Chafee, John F. Kerry, Mark Pryor, Blanche L. Lincoln, Dianne Feinstein, Dick Durbin, Gordon H. Smith, Conrad Burns, Tom Carper, Pete V. Domenici, Tim Johnson, Ron Wyden, Norm Coleman, Jim Talent.

Mr. GREGG. Mr. President, I think that establishes pretty definitively what the number is. In fact, I drafted an amendment, which I intend to offer at this time, which would increase the funding for low-income energy assistance by an amount of \$1.276 billion. The \$1.276 billion which is, I believe, the agreed-to number about which 41 Members of this Senate, all of whom I believe are probably supporting various amendments in this area, signed a letter asking the Chairman and Ranking Member of the Appropriations Committee to put in place an increase in the LIHEAP program—is going to be the amount by which my amendment increases the LIHEAP program.

That is a significant increase, a rather dramatic increase, in fact, and it represents, as a percentage, probably about a 50-percent increase in the program or well over a 50-percent increase; in fact, a 58-percent increase in funding and, in fact, hits the target we need to aim at in order to make sure that people of low incomes, living on fixed incomes, will have the necessary support they need to fund the cost of their energy this winter during the coldest months so they do not have to be put in a situation where they choose between food and warmth, something that would be inexcusable and inappropriate.

There is a further thing that my amendment does because I do believe in a fiscally responsible approach, and I believe Congress has an obligation to set priorities. There is no question in my mind that an immediate priority for us is that we make sure that the low-income energy assistance program is adequately funded heading into what will obviously be a difficult winter in light of the high energy costs. That should be a priority of our Government. But in setting that priority, we should not pass the debt, as I said earlier, of funding that program on to our children. We should decide what we are going to cut or how we are going to reduce the rate of growth in spending at the Federal level to pay for this program.

So my amendment, in addition to adding this fairly significant, rather dramatic increase in funding to the LIHEAP program, and a number which was originally supported by the 41 signatories of the letter to the Chairman and Ranking Member of the Appropriations Committee, also puts in place an offset to pay for this.

The offset represents an across-the-board cut under this bill of all accounts. It comes out to be less than a 1-percent cut, a nine-tenths-of-1-percent reduction in spending across other accounts to pay for this LIHEAP spending. That is the proper way to approach an issue such as this.

Let's determine whether or not it is a priority. If it is a priority—and I believe it is a priority—to fund LIHEAP, then let's fund it and not pass it on to our children.

That is what I do in this amendment. Rather than sending it up as a second degree, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

Mr. OBAMA. Mr. President, I rise today in support of the amendment offered by Senators REED and COLLINS to the Fiscal Year 2006 Labor, HHS appropriations bill to appropriate \$2.92 billion emergency funding for the Low-Income Home Energy Assistance Program, (LIHEAP).

LIHEAP provides much needed assistance to Americans who might otherwise be forced to choose between heating their home during the winter

months and putting food on the table for their family. In Illinois, 311,000 households received LIHEAP assistance last winter, out of 600,000 that applied. Clearly there is much more need than there are available funds.

If you have never experienced an Illinois winter, I can tell you that it can be bitterly cold. In January, the wind coming off of Lake Michigan near my house in Chicago will chill you to the bone. This year, the National Oceanic and Atmospheric Association is projecting an even colder than average winter. As a result of colder temperatures and rising energy prices, the Department of Energy's Energy Information Administration is predicting that families will be faced with significantly higher heating costs than last year. Those families whose homes are heated primarily by natural gas will pay about \$350 more this winter, families in homes heated primarily by propane will pay an average of \$325 more, and families in homes heated primarily by heating oil will pay, on average, as much as \$378 more than last year.

With the expected increase in heating costs, there will be an increased demand for LIHEAP assistance. Already this year, 100,000 Illinois households have applied for help with their heating bills for the coming winter, a higher than average number for this point in the year. The \$2.92 billion in emergency funding proposed in this amendment will supplement the \$2.18 billion already contained in the Labor-HHS appropriations bill to fully fund LIHEAP at a total of \$5.1 billion.

Livable shelter is a basic human necessity. Without authorizing these emergency funds: we put the elderly, the disabled and the low-income families that depend on this aid at risk. If we have learned anything from the tragedy of Hurricane Katrina, it is that we cannot afford to shortchange programs that provide assistance for the most vulnerable in our society.

I urge my colleagues to join me in supporting this important amendment.

AMENDMENT NO. 2253

Mr. GREGG. Mr. President, I send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 2253.

Mr. GREGG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase appropriations for the Low-Income Home Energy Assistance Program by \$1,276,000,000, with an across-the-board reduction)

On page 158, strike lines 12 through 21 and insert the following:

bus Budget Reconciliation Act of 1981, \$3,159,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of

1981, \$300,000,000, to remain available until expended: *Provided*, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISION—REDUCTION AND RESCISSION

SEC. _____. (a) Amounts made available in this Act, not otherwise required by law, are reduced by 0.92 percent.

(b) The reduction described in subsection (a) shall not apply to amounts made available under this Act—

(1) for the account under the heading "LOW-INCOME HOME ENERGY ASSISTANCE"; or

(2) for the account under the heading "REFUGEE AND ENTRANT ASSISTANCE" (with respect to amounts designated as emergency requirements).

SEC. _____. (a) There is rescinded an amount equal to 0.92 of the budget authority provided in any prior appropriation Act for fiscal year 2006, for any discretionary account described in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account described in subsection (a) to the extent that it relates to budget authority described in subsection (a), and to each item of budget authority described in subsection (a); and

(2) within each such account or item, to each program, project, and activity (as delineated in the appropriation Act or accompanying report for the relevant fiscal year covering such account or item).

(c) The rescission described in subsection (a) shall not apply to budget authority provided as described in subsection (a)—

(1) for the account under the heading "LOW-INCOME HOME ENERGY ASSISTANCE"; or

(2) for the account under the heading "REFUGEE AND ENTRANT ASSISTANCE" (with respect to amounts designated as emergency requirements)).

Mr. GREGG. Mr. President, the reason I sent this amendment up as a first-degree amendment is that I believe we have an understanding with Senator REED and Senator COLLINS as to the voting sequence, and that is important, and that is why I originally asked to be protected with a second-degree amendment.

The amendment is now pending. Once again, to summarize what the amendment does, it increases the funding for LIHEAP by \$1.276 billion, which is the number which was asked originally of the administration about a month ago by 41 Senators, including Senator COLLINS and Senator REED, in a letter sent to the Chairman and Ranking Member of the Appropriations Committee. It is a significant number. The number is reached by determining what the projected costs of the increased cost of energy will be to our citizens who are living on a fixed income.

Second, it is an amendment which is paid for where we recognize we have a priority as a Government to participate in assisting these individuals who, through no fault of their own, find themselves in dire straits if the energy costs, with their significant jump in price, make it impossible for them to buy adequate heating oil to heat their

homes, and in recognizing that priority, we pursue a policy of making sure that the moneys will be put into the LIHEAP program, but at the same time it will be paid for by a reasonable, across-the-board cut, relative to other programs within this bill, on the theory it would be inappropriate to simply raise this spending without doing an across-the-board cut or without some adequate offset because that means we would be deficit financing this number and thus passing this cost on to our children to pay, rather than absorbing the cost, as it should be absorbed, by our generation.

I ask unanimous consent that Senator GRASSLEY be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I appreciate the thrust of the argument being advanced by the Senator from New Hampshire in terms of expenditures. There is no doubt that the deficit is excessive. There is no doubt that the national debt is an enormous burden on our society. When we deal with the issue of energy assistance for the poor, there has been a generalized agreement, as evidenced by the amendment offered by the Senator from New Hampshire, agreeing that there ought to be LIHEAP assistance.

He approaches it differently than the Reed-Collins amendment, which treats the issue as an emergency, and instead has an across-the-board cut of almost 1 percent on all funding under this bill.

The bill is not cut to the bone. The bill, in its present shape, goes into the bone. It does not have an increase for inflation. It has a very marked shortfall on many programs. We heard one this morning on education in the caption of Pell grants where there simply is not enough money to take care of the basic needs of these three departments.

Education and health care are our two major capital assets. Without good health, people cannot function. Without a decent education, people cannot progress. This allocation of \$145 billion is right to the bone.

We find ourselves in what I think is a genuine emergency situation with respect to fuel assistance. It is as much an emergency as Katrina is to the people who are victims of that hurricane. That incident has markedly raised the cost of fuel oil and natural gas where people need it for heating.

Where we can appropriate the kind of dollars which we have for Katrina—and I am not questioning that—this is right in the same boat, to use an overused metaphor.

Much as we have problems with the deficit, much as we have problems with the national debt, this is, I think, a genuine emergency, and the accounts on this bill simply cannot tolerate fur-

ther cuts. Therefore, I am constrained to oppose the amendment offered by the Senator from New Hampshire.

Mr. President, in the absence of any other Senator seeking recognition—I was about to suggest the absence of a quorum—but let me urge my colleagues to come to the floor, instead, and offer amendments. We have an indication that there will be an amendment offered at 6 o'clock. We may be in a position to vote on some amendments at that time, if no other amendments are to be offered. But we have 47 minutes between now and 6 o'clock where there is ample time for someone to come to the floor a few minutes and offer an amendment.

It may be the offerer of the next amendment will be here at 5:30. I am advised there may be a change. That still leaves us 16 minutes. We can get a lot done in 16 minutes, if somebody comes to the floor and offers an amendment. We don't like to waste any time, Mr. President. We have a complicated bill here. Wait and see, tomorrow, the day after tomorrow, Friday, or whoever knows when this week we will finish this bill—and the majority leader and the managers are determined to finish the bill—16 minutes will look like a lot of time.

I remind my colleagues about the argument over a unanimous-consent request for 1 extra minute last Thursday. We have those arguments from time to time, sometimes made by experienced Senators who know that if you object to a 1-minute unanimous consent request, it will take at least 5 minutes to straighten it out. Eventually they got the minute. Mr. President, 15 or 16 minutes is a lot of time, so I urge my colleagues to come to the floor.

In the interim, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I ask unanimous consent I be allowed to proceed for up to 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. MCCONNELL are printed in today's RECORD under "Morning Business.")

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. Yes, there is.

Mr. THUNE. I ask unanimous consent to lay it aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2193, AS MODIFIED

Mr. THUNE. Mr. President, I ask unanimous consent to call up and send to the desk amendment No. 2193, as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for himself, Mr. CONRAD, Mr. CRAPO, Mr. BROWNBACK, and Mr. TALENT, proposes an amendment numbered 2193, as modified.

Mr. THUNE. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of title II (before the short title), add the following:

SEC. ____ TELEHEALTH.

(a) APPROPRIATION.—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$10,000,000 to carry out programs and activities under the Health Care Safety Net Amendments of 2002 (Public Law 107-251) and the amendments made by such Act, and for other telehealth programs under section 330I of the Public Health Service Act (42 U.S.C. 254c-14), of which—

(1) \$2,500,000 shall be for not less than 10 telehealth resource centers that provide assistance with respect to technical, legal, and regulatory service delivery or other related barriers to the deployment of telehealth technologies, of which not less than 2 centers shall be located in a rural State with a population of less than 1,500,000 individuals;

(2) \$5,000,000 shall be for network grants and demonstration or pilot projects for telehomecare; and

(3) \$2,500,000 shall be for grants to carry out programs under which health licensing boards or various States cooperate to develop and implement policies that will reduce statutory and regulatory barriers to telehealth.

(b) OFFSET.—Notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced, on a pro rata basis, by \$10,000,000. The Director of the Office of Management and Budget shall administer such reductions.

Mr. THUNE. Mr. President, I ask the amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, my understanding is we are on the appropriations bill. I will speak for 5 minutes or so on a subject unrelated to the bill.

The PRESIDING OFFICER. It is the Senator's right.

PENTAGON CLEARANCE FOR JUDITH MILLER

Mr. DORGAN. Mr. President, there has been a lot of information around this town about a New York Times reporter named Judith Miller. She has been central to a case that Mr. Fitzgerald, the special prosecutor, is looking into. There is a lot of anticipation here about what or what might not happen with respect to charges that might be filed. It has to do with the disclosure of a covert CIA agent and who might have disclosed her name and why. Judith Miller was a reporter for the New York Times and Judith Miller spent some 80-plus days in jail because she decided not to testify about that subject before a grand jury when requested by the special prosecutor. She was subsequently released and did testify.

I share the common interest in what has happened, what did the special prosecutor find, were there people in Washington, DC, who were "outing," as it were, a covert agent of the CIA, and if so, did they lie about it, did they obstruct justice. I don't know the answer and I don't pretend to know the answer to any of that. As one colleague suggested on television this weekend, these are not "technical" issues. There is no such thing as technical perjury. In any event, this is very important. But that is now why I am here now.

The reason I come to the Senate for a moment to mention Judith Miller is she wrote something in her own hand that appeared in the New York Times in recent days describing her situation. She said something that was of interest to me and alerted my curiosity. I have since made a number of calls related to that.

Judith Miller was embedded in a military unit and she said the following in her piece:

The Pentagon had given me clearance to see secret information as a part of my assignment "embedded" with a special military unit hunting for unconventional weapons [or weapons of mass destruction.]

We all understand in the Senate what it means to see secret or top secret material. We frequently are provided briefings by the CIA, by the Defense Department, by other intelligence units, briefings that are classified as either "secret," or "top secret." We understand what that means. We understand, for example, if a member of our staff is to be made available to have those clearances, clearances come only when there is a background check

and people are evaluated for receiving a clearance to possess secret or top secret information.

So I had a question when I read this article from a New York Times reporter embedded with a military unit:

The Pentagon had given me clearance to see secret information . . .

My question is, What kind of clearance would that be, that a reporter, traveling with a military unit in Iraq, searching for weapons of mass destruction, what kind of clearance would that reporter have to see classified or secret information?

I called the Pentagon to find out what kind of clearance would exist, perhaps not just with respect to this reporter. My interest would be on a broader basis. We had many reporters embedded with military units in Iraq during the invasion and during the subsequent activities, looking for weapons of mass destruction.

Based on what I can learn from the Pentagon—although it was not all that clear from the response I received—based on what I could learn from the Pentagon, it seems there was no "secret" or "top secret" clearance given this reporter.

Now, last evening I talked to a soldier in Germany, a man who was a part of the unit in which this reporter was embedded. He was very willing and interested in talking about the entire experience. The fellow from Germany, who is a sergeant in that special unit Judith Miller was embedded in, spoke at some length about what happened there. I told him of the quote Judith Miller had in the New York Times. He said he would have understood that she would have likely seen secret or even top secret information. The way the reporter is embedded in that circumstance, they have access to a substantial amount of information, could not help but have access. So the question I asked the Pentagon is, on what basis would a reporter have access to these clearances to receive secret or top secret information?

Further, it is my understanding, at least from the sergeant whom I spoke with in Germany last evening, all that was transmitted from this reporter, embedded with a military unit, was approved by the colonel involved in that military unit and material was not to be published without the colonel's approval. Well, of course, that is the censoring of the material. It is also the case as reported not only by the sergeant in the conversation I had last evening but also in previous publications, that this reporter, Judith Miller, described often her acquaintance with Donald Rumsfeld and Mr. Feith and others in the Pentagon at high levels, including generals. And she expressed freely her either agreement or disagreement with the military activities of the unit she was in, and talked about complaining back to Rumsfeld, and so on and so forth.

I don't know the voracity of all of that. All I am reporting is what I was

told by someone in that unit. That is, perhaps, for another discussion. I intend to visit about this a bit more fully tomorrow.

The first question I have is not just with respect to Judith Miller, but generally under what conditions were reporters approved to be embedded with military units and given opportunity to see secret or top secret material? Did they have security clearances or not? The Pentagon says not. This reporter said she did. If they had clearances, what kinds of clearances were they? The Pentagon said they have nondisclosure forms. How can you give a nondisclosure form to a reporter and then show them secret or top secret material? Take a look at the law, which I will read tomorrow in the Senate. That is not what is allowed.

The classification of material that is secret or top secret dealing with intelligence or military operations is not a classification that is done lightly. It is not a classification that can be overcome by someone in the Pentagon who says, Okay, put on a military shirt or a pair of military trousers and go embed yourself with that unit, and, by the way, you sign a form that says "nondisclosure." That is not the way we decide how to disperse information that is considered secret or top secret.

Those who are in our Senate community, on our staffs and so on, those who are permitted to see classified secret and top secret material, must have a clearance. That clearance must come after an investigation to determine whether that person is qualified to have classified information. I am asking the Pentagon, did they provide a clearance? The short answer says no, they did not. The writer says they did. The Pentagon says a "nondisclosure form." What on Earth is that? How many nondisclosure forms exist when they are embedding men and women in the news media with military units engaged in activities that often are secret and top secret?

I will be asking the inspector general at the Pentagon to take a look at this to evaluate for the Congress. All Members should understand this. What are the circumstances by which a reporter describes her access to see secret information because she had a "clearance" from the Pentagon when the Pentagon said she did not have a clearance? We understand what secret clearances are around here. All of us understand that. We deal with that classification every day. What are the circumstances by which a reporter is allowed to see secret or top secret information because they have a clearance, when the Pentagon says no such clearance exists?

If, in fact, it is not a clearance and the reporter has simply misspoken, if it is instead a nondisclosure form, then I would like to see the provision in law by which the Pentagon has decided to provide nondisclosure releases to journalists who join military units whose units then censor the material that comes from the journalist. And is there

in any way any implied quid pro quo, saying: Give me a clearance, embed me, let me see secret material; and by the way, I won't report on the things that are secret and you can review all things I write and take out the things you do not like?

I do not know the circumstance. What I have read in recent days raised questions for me beyond what has been raised in recent days which is the issue of the special prosecutor and his potential action before the grand jury expires. I don't know about all of that. I am as interested as others about what may or may not happen.

I am a member of the Subcommittee on Defense Appropriations. We spend a fair amount of time evaluating weapons programs and other issues that are secret and top secret. But I don't understand this, a self-description by a New York Times reporter about her clearance to see secret information as part of being embedded with the military unit.

Mr. President, I will have more to say about this tomorrow. In the meantime, I intend to try to find additional answers. They have not been forthcoming in the last couple of days. But I think all of the Congress, all of the Senate, should be asking these questions as well.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we have been sitting in the Chamber without accomplishing much for more than 45 minutes now. We had, in my view, more quorum calls and more time which was not spent on the bill than we should have. We have a great many amendments pending, and we are going to be pushing ahead.

We are filing cloture today, and we are going to be pushing ahead to try to get this bill finished at the earliest time. Whether it is Thursday, Friday, or when this week, I do not know. We have been awaiting for more than 30 minutes the arrival of a Senator to offer another amendment. And very candidly, I am tired of waiting.

So that concludes the action on this bill today. We will begin tomorrow morning with a series of amendments. We had wanted to vote on a number of amendments which were pending, but we cannot because too many Senators have other commitments. That is something that is hard to understand sometimes: why we are notified mid-afternoon that Senators are too busy to attend to the business of the Senate and to vote.

I say in gest that I am going to run for majority leader on a platform to have a 4-day workweek, from Monday noon until Friday noon. That would double the workweek of the Senate. The second plank of my platform—I notice the two Senators from Georgia are amused; anybody would be amused—to hold down these votes to 15 minutes and 5 more minutes, we did pretty well on that. We had an 18½-minute vote.

So that is a little progress. The junior Senator from Georgia is nodding in the affirmative.

But we have to do better. And to advocate a 4-day workweek, which would double the work of the Senate, is said only facetiously. I would have only one vote, my own. I would have maybe two or three if I didn't run on that kind of a platform.

Seriously, we need to get on with this bill. But it is now past 6 o'clock, and that concludes our activity on the bill. I think the custom of the Senate is to move to morning business at this point.

I am advised we have not yet filed cloture, Mr. President, so I suggest the absence of a quorum so we technically stay on the bill until the final signature is added so that the cloture motion can be filed.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that I be allowed to proceed as though in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LEVIN are printed in today's RECORD under "Morning Business.")

Mr. LEVIN. Mr. President, I note that S. Res. 287, which is a resolution I introduced on behalf of Senator STABENOW, Senator REID, Senator FRIST, and I believe a majority of this body now, has been cleared for passage later on this evening. I very much welcome that development. It is fitting, indeed, that on the day after the passing of Rosa Parks the majority of this body sees it important to adopt a bipartisan resolution honoring her life.

I thank the Chair. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. FRIST. Mr. President, we have been moving forward with the underlying bill, and Chairman SPECTER has indicated that he has a lineup of amendments ready for tomorrow. I know that tomorrow will be a busy day with votes in relation to those amendments. We need this final appropriations bill this week, as I have said again and again—this week and last week—and, therefore, in order to facilitate passage, I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 3010: The Labor-HHS appropriations bill.

Bill Frist, Arlen Specter, Thad Cochran, Michael Enzi, Wayne Allard, Jon Kyl, Rick Santorum, Richard Lugar, Mike DeWine, Craig Thomas, Mel Martinez, Sam Brownback, Kay Bailey Hutchison, John Thune, Orrin Hatch, Robert Bennett, Mike Crapo.

Mr. FRIST. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. This cloture vote will occur Thursday morning. We will announce the exact time sometime during tomorrow's session, hopefully Thursday morning.

Mr. OBAMA. Mr. President, I rise today to support an important cause, at a critical time, increasing the representation of students from underrepresented backgrounds in law school and the legal profession.

Senator DURBIN and I have introduced an amendment to the Labor, Health and Human Services, and Education appropriations bill that would restore funding for a program which seeks to do just that the Thurgood Marshall Legal Educational Opportunity Program. The Marshall Program provides technical assistance, training, coaching, and financial assistance to prospective law students who might otherwise experience academic or financial obstacles to law school success. It also runs 6-week Summer Institutes that serve as a bridge between college and law school, and helps law students prepare for the bar exam. Since its inception, over 7,000 students have received their law degrees with help from the Marshall Program. I am proud to say that some of the Program's valuable initiatives are held at Illinois' own Northern Illinois University and DePaul University.

Judges, prosecutors, public defenders, and other legal professionals are the faces of our justice system. It is important that these individuals come from a variety of experiences, and bring to their jobs a diverse range of perspectives. According to a national study commissioned in 2000, however, half of those polled believed that the justice system treated people differently because of their background. One important way to address this problem is to make sure that working-class people and students from different cultural backgrounds have the opportunity to go to law school and successfully enter the legal profession.

Equally important is the effect these students will have on their families and their communities. The Marshall Program's benefits extend not only to

program participants but also to the generations that follow behind them. Every person who rises from limited means to become a doctor or lawyer in this country is also a mother, father, sister or brother who will help bring resources to their families, leadership to their neighborhoods, and hope to their communities. The Marshall Program helps to expand opportunities, for this generation of Americans and the next.

I am proud to support the cause of increasing the representation of students from less advantaged backgrounds in the legal profession. I urge my colleagues to do the same.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On September, 19, 1998, two men and two women pulled up to Peter Johnson's car in Chicago, IL, and asked him if he was gay. When he replied that he was, the four people exited the vehicle and beat the man. He was then taken to a local hospital and treated for injuries that he had sustained during the attack.

I believe that our Government's first duty is to defend its citizens, in all circumstances, from threats to them at home. The Local Law Enforcement Enhancement Act is a major step forward in achieving that goal. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

EARTHQUAKE RELIEF FOR PAKISTAN

Mr. BIDEN. Mr. President, the people of Kashmir are no strangers to hardship. Their beautiful, tragic land has been the arena of full-scale warfare between India and Pakistan, a long-running insurgency marked by exceptional brutality and penetration by terrorist groups in league with al-Qaida.

On October 8, the people of Kashmir suffered the most devastating blow yet: A massive earthquake killed about as many Kashmiris in just a few minutes as all the bullets and bombs of massed

armies were able to kill there over the previous half-century. And unless we act now, the casualty count will climb even higher.

At latest count, the quake's death toll is somewhere between 55,000 and 80,000. An estimated 3 million people are now homeless. As the survivors spend day after miserable day with little food or water, little medical care, little protection from the bitterly cold winter temperatures that have already hampered relief efforts, the number of the dead will certainly rise.

Residents of the Indian-administered portion of Kashmir were hit hard: 1,400 have died, a number greater than the death toll of Katrina. But the worst devastation has been felt in the area administered by Pakistan, which has borne the brunt of the disaster.

For Pakistan, the earthquake was at least 40 Katrinas, all rolled into one.

The capitol of Pakistani Kashmir has been largely destroyed. Relief efforts will cost billions of dollars, and repairs to the very most basic infrastructure will cost billions more.

American helicopter pilots and other military personnel have performed heroically in the rescue operation. The first 72 hours after a disaster of this magnitude are vital, since this is the window in which trapped survivors have a realistic chance of being brought out alive. As of last week, October 17, 442 U.S. personnel and 11 helicopters were involved in the effort, and the U.S. military had evacuated 2,500 survivors. I am proud of our service men and women, and I wholeheartedly support President Bush's decision to deploy our military assets to this mission of mercy.

I would like to see far more of our choppers devoted to this vital effort: With only 30 percent of the affected villages reachable by road, the single greatest need is for every utility helicopter that can be rushed to the scene; we've got Chinooks, Blackhawks, and other suitable craft right across the border in Afghanistan, and I hope the administration will immediately shift more of these assets to the short-term mission of saving lives.

I also support the President's pledge of financial aid for the reconstruction effort—indeed, I rise today to urge President Bush to send more aid. This is no time for half-measures.

If there is one thing we all should have learned from Katrina and the Southeast Asian tsunami, it is that an effective, rapid, well-funded response is necessary to prevent a terrible tragedy from spiraling into an uncontrolled disaster.

As of today, October 24, the total amount of earthquake aid committed by the administration has been about \$27 million. President Bush has pledged "up to" \$50 million, and Secretary Rice has hinted that the total figure might be higher than this, but so far—2 weeks after the tragedy—these are still vague abstractions. The costs for tsunami relief proved far higher than the initial

estimates—or the initial U.S. pledge. It is a safe bet that the needs for this tragedy will also prove much greater than initial estimates. It is far too early to cap our contribution.

The U.N. has sought \$312 million to meet immediate needs but has found the world community willing to pledge barely a quarter of this amount—and the White House's response has been to promise less than 4 percent of this modest sum, per USAID fact-sheet of 10/21: \$10.8 million to U.N. flash appeal. Mr. President, we need to do much more, to do it much faster—and we need the administration to start telling us some answers:

How much money will we actually spend? And where will it come from? Does the administration plan to shift funds from existing accounts for Pakistan, in which case the President's pledge would look like a bait-and-switch? Would the funds come from existing disaster accounts, in which case every dollar sent to Kashmir would potentially be a dollar taken from Darfur, Guatemala, or Niger?

With so many pressing needs here in the United States, some may ask why send any aid overseas. Let's take care of our own people, some may say, leave other nations to take care of themselves.

But this is a false choice. We can take care of our own people and fulfill our moral duty to our fellow human beings elsewhere in the world.

When we were struck by the tragedy of Katrina, 90 nations offered us assistance—including a pledge of \$1 million from Pakistan. Aiding the victims of the Kashmiri earthquake is the right thing to do, and it is also in our vital national interest. As we have seen in the aftermath of the Asian tsunami this year, disaster relief is one of the most effective—and cost-effective—tools in our diplomatic or political arsenal.

Other nations recognize the twinned moral and political need for generous humanitarian response. Some 30 countries have sent relief aid to Pakistan, countries including Russia, China, Japan, South Korea, France, Spain, Holland, Germany, Switzerland, Iran, Jordan, Syria and Afghanistan. Several, including Britain and Turkey, sent specialized search-and-rescue teams to pull survivors out of the rubble.

Others have already established mobile field hospitals that are saving hundreds—maybe thousands—of lives on a daily basis. Even Pakistan's longtime rival India sent planeloads of tents, medicine, and other supplies.

The U.S. has been generous, but so too have other countries. If the administration does indeed follow through on President Bush's \$50 million promise, that would be half the amount pledged by Kuwait, half the amount pledged by the United Arab Emirates. Last weekend, Saudi Arabia announced an aid package of \$133 million. We are not the

only country involved in this relief effort and our contribution should reflect our Nation's true generosity of spirit.

It is not just nations that are joining the effort: private individuals and groups have opened their hearts and wallets. Here in this country, NGOs like Mercy Corps, CARE, the International Rescue Committee, Save the Children and the Red Cross have collected many thousands of dollars.

In one development that builds upon an encouraging warming of ties between Pakistan and Israel, President Musharraf has specifically welcomed the contributions of American Jewish charities.

But there are other organizations whose support is more troubling: extremist groups have been in the forefront of disaster relief. There is a desperate need for more assistance—and that void is being filled by groups hostile to American interests.

Jamaat ul-Dawa, an affiliate of the terrorist group Lashkar-e Taiba, has been operating a major field hospital complete with x-ray facilities and an operating theater—a facility so capable that it has been treating casualties of the Pakistani military itself.

More than a week after the earthquake, the U.S. had still not set up a mobile field hospital, despite the proximity of resources in Afghanistan and the Middle East; I hope that by now such a facility is in operation. We have the finest military medical personnel in the world, and they are eager to save as many lives as they can.

Why has the administration been unable to accomplish a vital humanitarian task that is currently being carried out by a terrorist affiliate?

And Jamaat ul-Dawa isn't the only extremist group filling this need. The Al-Khidmat Foundation, the charity branch of hardline Islamist party Jamaat-e Islami, has organized relief convoys, medical facilities and camps sheltering survivors.

The Al-Rasheed trust, a group whose U.S. assets have been frozen on the suspicion that it channeled funds to al-Qaida is highly visible in a variety of relief efforts.

There's nothing new about extremist groups performing social services. Hezbollah, Hamas, the Tamil Tigers, and a variety of other groups on the Foreign Terrorist Organization list have long bolstered their base of support by providing social welfare programs—especially where the government has been either unable or unwilling to meet its citizens' most basic needs.

The extremists know that such programs build goodwill among the populace. They have learned a lesson already known to every U.S. military officer: You can't win a war with bombs alone, you have to win hearts and minds.

Our military professionals know this, but it sometimes seems as if the civilian leadership in the White House has forgotten the lesson. We had an oppor-

tunity to demonstrate our friendship to the Pakistani people, to the Kashmiris on both sides of the line of control, to Muslims throughout the globe, and instead we have failed to match our commitment with our superpower status. Every day we let the extremists fill the void is another opportunity wasted.

The Asian tsunami provides a shining example of the need for rapid action, and what we can accomplish when we do things right.

The initial response from the White House was disappointing: for the first week after the tragedy, the administration lagged behind other nations, including small countries with far inferior resources than we possess.

But once the administration decided to match America's contribution with our superpower status, we leapt to the forefront of the relief effort. When the USS *Abraham Lincoln* carrier group and other naval assets arrived on the scene, they immediately established us the leader of the global response.

The sailors, marines and other service members did an absolutely superb job: They performed an act of public diplomacy more powerful than any dollars-and-sense reckoning could calculate.

They showed that the U.S. military is not merely a fearsome adversary but also a powerful friend.

This effort had an immediate impact: In Indonesia, the world's most populous Muslim nation, popular attitudes towards the United States profoundly improved, almost overnight. Before George Bush took office, 75 percent of Indonesians had a favorable impression of the United States; by 2003, that number had fallen to 15 percent.

But in the aftermath of the tsunami, Indonesians saw Americans as friends rather than foes. In a survey sponsored by the nonpartisan group Terror Free Tomorrow, 65 percent of respondents had a more favorable view of the United States after the arrival of the USS *Abraham Lincoln*.

This public attitude is directly reflected in Indonesian views of the war on terror. In the same poll, support for Osama bin Laden dropped from 58 percent prior to the tsunami to 23 percent afterward. For the first time in any major poll, a plurality, 40 percent, supported the U.S.-led fight against terrorism.

And this isn't merely a matter of poll numbers: Indonesian-based extremist groups tried to use their relief operations in the tsunami-ravaged province of Aceh as a tool for recruitment, and due in large part to the strong U.S. response these groups utterly failed to make headway. When they tried to preach anti-American sentiments, the people of Aceh shut them down cold: The survivors of the tsunami knew better because they had seen American sailors and marines saving lives.

The lesson is clear: Our humanitarian duty and our national security interests here are in complete accord.

When we use our military and financial strength to save lives, we help drain the swamp of terrorism.

We accomplished a tremendous feat in the tsunami recovery effort. For the price of just a few days' operating expenses in Iraq, we bought an incalculable amount of goodwill among the 210 million Muslims in Indonesia, and improved our standing among many other Muslims worldwide.

Today, we have the chance to replicate our success. We can do in Pakistan what we did in Indonesia: prove that America is not engaged in a crusade against Islam.

We can demonstrate—with deeds, not empty words—that we are allies rather than adversaries. We can show that we, and not the extremists or the terrorists, are the best friends that the people of Muslim nations could want to have.

We can do this, but we can't do it on the cheap. We can't do it with just a dozen helicopters and \$27 million and a promise that eventually we may contribute half as much as Kuwait.

Mr. President, I urge this Chamber to do more. And I urge the administration to immediately match our contribution with the vital need at hand: With Pakistan reeling from the worst natural disaster in its history, we can't afford to let our response be too little and too late.

Today, Mr. President, our moral duty and our national security interest are one.

COMMEMORATING THE SIXTIETH ANNIVERSARY OF THE UNITED NATIONS

Mr. BIDEN. Mr. President, I recognize and pay tribute to the United Nations on the occasion of its sixtieth anniversary.

During this week in 1945, fifty countries came together to found the United Nations, a body created to advance two momentous goals: a world free from war, and one in which the basic rights of citizens are respected in all countries. Over the last 6 decades, with the help of the UN, we have at least avoided the scourge of another world war. And we have seen the advancement of democracy and human rights around the world, as well as the provision of shelter, basic education, and critical healthcare to millions that would otherwise have gone without.

Today, while the broad goals of the UN remain the same, global threats and challenges are drastically different. Internal conflict, terrorism, the spread of weapons of mass destruction, religious hatreds, natural disasters, and disease pose great hardships and risks to all people, regardless of country of origin, and require, more than ever, coordinated international responses. By harnessing the resources and collective expertise of its 191 member states, the United Nations has the ability to address these concerns in ways that no single nation can on its own.

We in the United States owe the UN our profound gratitude for the assistance that has been provided to victims of Hurricane Katrina on our gulf coast. Within days of the disaster, the United Nations launched a campaign to coordinate relief assistance with federal efforts. UN agencies have distributed life-saving supplies, are supporting the surveillance work of the Centers for Disease Control, and are assisting in evacuee registration and tracking of missing children.

Day in and day out, we see evidence of the critical work that the United Nations undertakes around the world. The organization continues to lead humanitarian relief efforts in the wake of last year's tsunami disaster in Southeast Asia and has launched an emergency response to the devastating earthquake in Pakistan. Through UNAIDS, the organization coordinates a comprehensive global response to the fight against HIV/AIDS, working to halt and reverse the epidemic by 2015. The UN women's fund, UNIFEM, supports women's empowerment and gender equality, in particular through supporting local initiatives to end violence against women. The UN Development Program is supporting democratic governance projects in Iraq, Afghanistan, Sierra Leone, Haiti and over 150 countries worldwide. Inspections by the International Atomic Energy Agency have uncovered violations by Iran and North Korea, and the agency's safeguards have assured the world that other countries are not diverting nuclear material from their peaceful nuclear power programs.

Finally, the UN Refugee Agency, UNHCR, extends protection and life saving assistance to some 19 million refugees and other vulnerable persons. In May 2005, I had the opportunity to visit the Oure Cassoni refugee camp along the Chad-Sudan border, and was incredibly impressed with UNHCR's work in providing direly needed food, shelter, and education services for nearly 25,000 refugees. The agency's aid staff is working tirelessly to serve this large population, and I witnessed extraordinary dedication and professionalism.

For 60 years, the United Nations has been on the front lines leading humanitarian stabilization efforts under conditions and in situations that are the worst of the worst. Now the organization is focused on another critical task: reforming itself. Many, including Secretary General Annan, have recognized that the UN must change the way it does business if it is to maintain the support of its members and effectively address the challenges that the global community will face in the future.

This reordering and restructuring is needed, significant, and moving forward. To highlight a few items, as a result of the support demonstrated at the UN Summit last month, member states are working to create a Human Rights Council to replace the defunct Human Rights Commission, in order to more

effectively advance the rights and freedoms that continue to be denied to far too many. The establishment of a Peace Building Commission will make the UN, and the world, better equipped to prevent post-conflict countries from relapsing into violence, reducing the conditions that breed terrorism. And the dozens of personnel, management and budget reforms that have been proposed and endorsed by member states will make the organization more efficient in the important work it does.

Now, as the United Nations moves into the next chapter of its history, it is imperative that this momentum for change continues. Implementing these reforms is the responsibility of the member states. The United States can play a critical leadership role in securing their support, and their action. The future effectiveness of the United Nations lies in the balance, and I have every expectation that the member states can and will deliver. I encourage the Members of this chamber to fully support the efforts that are underway at the United Nations.

Article One of the United Nations Charter states that the purposes of the organization are to maintain international peace and security; address international social, economic and cultural problems; and to promote fundamental human rights and freedoms. Today, although tremendous progress has been made, we still need the UN to advance these goals. Therefore, I congratulate and thank the United Nations, its current personnel and staff, as well as those who have served in the past, for all that it has done to advance peace, security and freedom around the world, and for all that it must do in the years ahead to realize the vision of its founders.

VOTE EXPLANATION

Mr. NELSON of Florida. Mr. President, I would like the RECORD to reflect that I was necessarily absent for the votes on the confirmations of Brian Edward Sandoval to be U.S. District Judge for the District of Nevada, Vote No. 265, and Harry Sandlin Mattice, Jr., to be U.S. District Judge for the Eastern District of Tennessee, Vote No. 266, on Monday, October 24, 2005, so I could assess the impact of Hurricane Wilma on Florida. Had I been present for these votes, I would have voted in favor of both nominations.

FORT RENO MINERAL LEASING ACT

Mr. INHOFE. Mr. President, on October 6, 2005, I introduced S. 1832, the "Fort Reno Mineral Leasing Act". At that time I introduced letters of support for this legislation. Since then I have received a letter from Mrs. Donna Von Tungeln that I would like to submit for the RECORD.

Mrs. Von Tungeln and her late husband Henry Jo have been active supporters of preserving the historical

buildings at Fort Reno. Their dedicated work to this project is greatly appreciated.

I ask unanimous consent the following letter be printed for the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

VON TUNGELN FARMS,
Calumet, OK, September 28, 2005.

Hon. JIM INHOFE,
Russell Building,
Washington, DC.

DEAR SENATOR INHOFE: I appreciate your interest in helping the citizens of Oklahoma to preserve one of our most important historical assets, the buildings of Fort Reno. Funding is badly needed to restore and maintain the Fort's buildings, many of which were built as early as the 1880's. The legislation you are willing to introduce on our behalf will insure that these priceless buildings are not lost, but are preserved and maintained and made available for viewing and use by generations of Oklahomans.

I also appreciate that you support a revenue-neutral approach to financing the restoration of Fort Reno without increasing our tax burden. My late husband, Henry Jo, first suggested this mechanism about two years ago, and worked to have it considered. Your willingness to implement the plan means a great deal to me. Success with the legislation will mean much to many other Oklahomans, as well as the thousands of out-of-state tourists who visit Fort Reno each year.

Sincerely,

DONNA VON TUNGELN.

TRIBUTE TO PAUL AND SHEILA WELLSTONE

Mrs. MURRAY. Mr. President, I rise today in memory of Paul and Sheila Wellstone. It is hard to believe that on this date 3 years ago, the lives of Paul and Sheila Wellstone, and others, were taken in a plane crash in Minnesota. On that day, I lost a good friend, the Senate lost a leader, and the American people lost an advocate who was never afraid to stand up and speak for those who had no voice.

Today I honor my friend and colleague, Senator Paul Wellstone, who inspired so many people to speak up and to serve. Even as I stand here today, I cannot imagine that when I turn around I won't see Paul standing at his desk, his arms flailing in the air, making his point with great passion.

Paul inspired me to run for the U.S. Senate. His brilliant example reminded me that you don't need to be powerful or rich to make a difference. You just need to have an honest concern for others, an optimistic spirit, and the courage to act. Paul embodied these traits.

I am grateful for the time we had with Paul. He and I worked on everything from domestic violence and education to providing health care to veterans and protecting families from asbestos.

As the month of October, which is Domestic Violence Awareness Month, draws to a close, there is much the Senate has accomplished on this issue. The Violence Against Women Act reauthorization, which contains many improvements to the current law, has

passed the Senate. But the absence of the Wellstones has truly been felt. Paul and Sheila were such champions for victims of domestic violence, especially in the area of economic security.

Paul knew that it is important to address the economic barriers that trap women in violent homes or relationships. That is why he and I worked together to introduce bills to provide economic protections for victims. I am proud to carry on the legacy of Paul and Sheila Wellstone, and in their honor I have introduced the Security and Financial Empowerment, SAFE Act, which will protect and even save the lives of victims of domestic or sexual violence and their families.

We are all poorer for the loss of Paul Wellstone, his wife Sheila, his daughter Marcia, the members of his staff, and the pilots who were taken from us on this day 3 years ago. But I continue to hope that each one of us who are here will take on part of Paul's legacy—for example, the spirit to speak out for the underprivileged or for the woman on welfare because of domestic violence who is trying to get back on her feet.

If we can remember to fight for all Americans no matter what challenges they face, and do so with respect and dignity, then Paul's legacy will live on in the Senate, as it lives on in our hearts and minds. In the name of Paul and Sheila Wellstone, I pledge to carry on their legacy throughout my time in the Senate.

BREAST CANCER AWARENESS MONTH

Mr. HARKIN. Mr. President, I rise today to recognize National Breast Cancer Awareness Month, and call for quick passage of the Breast Cancer Environmental Research Act. Breast Cancer is a disease that has impacted virtually every American's life, including my own. My two sisters both had breast cancer and died of the disease. Sadly, they contracted breast cancer at a time when regular mammograms and improved treatment methods were not widely available. More than 3 million women are currently living with breast cancer, and each year, tens of thousands of women die from this disease.

In 1992, I offered an amendment to dedicate \$210 million in the Defense Department budget to begin the Breast Cancer Research Program, a partnership between the military, medical, and breast cancer survivor communities to develop and implement innovative research towards the goal of curing and eliminating breast cancer. This funding was in addition to the funding for breast cancer research conducted at the National Institutes of Health. My amendment passed and overnight it doubled Federal funding for breast cancer. Since then, funding for breast cancer research has been included in the Defense Department budget every year.

Almost a decade ago, when I looked into the issue of breast cancer re-

search, I discovered that barely \$90 million was spent on breast cancer research. Today, I am proud to say that between the Department of Defense, the National Institutes of Health and the Centers for Disease Control and Prevention, nearly a billion dollars annually is being spent on finding a cure for breast cancer. Scientific researchers are making exciting discoveries about the causes of breast cancer and its prevention, detection, diagnosis, treatment and control, leading to real progress in our war against this devastating disease. We know better than ever before how a healthy cell can become cancerous, how breast cancer spreads, why some tumors are more aggressive than others and why some women suffer more severely and are more likely to die of the disease.

However, our work is not done. While important advances have been made, we still do not know what causes this disease, or how to prevent it. Today, I call upon my Senate colleagues to co-sponsor the Breast Cancer Environmental Research Act, legislation modeled after the Defense Department's Breast Cancer Research Program. The Breast Cancer Environmental Research Act would establish eight centers to conduct research on environmental factors that may contribute to breast cancer and, importantly, would require collaboration with community organizations in the areas where the centers are established. I strongly believe any breast cancer research must include the perspectives of breast cancer survivors, and this legislation does so by including consumer advocates in the peer review and programmatic review process. In addition, the legislation is structured to ensure the kind of efficiency and public accountability that has made an overwhelming number of Senate colleagues, as well as scientists and consumers, so supportive of the Department of Defense Breast Cancer Research Program. I urge my colleagues to support the Breast Cancer Environmental Research Act.

IN MEMORY OF PENN KEMBLE

Mrs. CLINTON. Mr. President. On October 16, our Nation lost one of its finest defenders of freedom, Richard Penn Kemble.

The central theme of Penn Kemble's activist youth and professional life was the promotion and strengthening of democracy. In the 1970s, he served on the Senate staff of my predecessor, Daniel Patrick Moynihan, and in the Clinton administration, he served as Deputy and Acting Director of the United States Information Agency, USIA. At USIA, Penn Kemble initiated Civitas, a multinational educational program. Under his leadership, USIA made educational reform, to strengthen both citizenship and the culture of democracy, one of its central interests. Through its partnership with the Center for Civic Education, it nurtured a worldwide civic education movement

that began at its first meeting in Prague in June of 1995. I had the honor of addressing the third annual Civitas World Conference in 1999 in Palermo, Italy, which brought together political leaders and more than 350 civic educators from around the world.

This international civic education movement continues today in no small measure because of the important work Penn Kemble began in 1995. He knew that even though the institutional machinery of democracy might be in place, it could not be sustained unless a culture of democracy was to take root. He knew that people could only become citizens when they understood and exercised the rights and responsibilities of self-government. He knew that it was in our Nation's best interest to support emerging democracies through citizen education and he used his intellect, boundless energy, and creativity to achieve that end.

I am grateful for the work Penn Kemble began during my husband's Presidency, and I join his family and friends from all over the world in mourning his loss.

THE AVIAN INFLUENZA

Mr. FEINGOLD. Mr. President, today I rise to express my concern about avian influenza and America's preparedness for a global pandemic. While I do not want to add to people's fears about this issue, reports of the lethality of the H5N1 strain must be taken seriously and we need to make sure that we are taking appropriate measures to prepare for a possible pandemic.

As we all well know, migratory birds are steadily carrying the avian flu virus from throughout Southeast Asia and Siberia to Romania, Turkey, and now Greece. International health officials predicted that this spread could happen, and it should be no surprise that this disease is taking this course. In the 20th century alone, three influenza pandemics swept throughout the world, most notably the 1918 flu pandemic, which took 500,000 lives. Our knowledge of disease and hygiene has improved dramatically since then, and our ability to ready ourselves has subsequently advanced, but our risk for a pandemic remains a danger.

Scientists and public health officials throughout the world have warned that a flu pandemic will take place, have alerted governments to the possibility of pandemic through the avian flu, and have watched as little has been done to prepare for the occurrence. Despite the warnings of the inevitability of pandemic, research into influenza vaccine and therapy has been continually underfunded, as have our programs that would provide emergency health care relief in a time of crisis. Hurricane Katrina illustrated our lack of preparedness for a true disaster, and the Government's failure to quickly bring relief to our friends along the gulf coast should send a resounding message that we must better prepare for an

emergency in the future. That emergency could well be the avian flu pandemic. Let us not be caught unaware. While there is no guarantee that this will occur this winter, next winter, or even the year after that, scientists tell us that it is only a matter of time, and we should use that time to build our stockpiles of vaccines and medicines, and to support global initiatives to help prevent the spread of the disease through containment strategies and alerts.

Although the avian flu does not yet transmit from human to human, this type of virus is capable of rapidly mutating and becoming highly infectious among people. With the seasonal flu season approaching, the risk of a human strain emerging increases, as the opportunity for the virus to drift among species and mutate is augmented. If a pandemic ensued, the threat would obviously not be distributed evenly across the population. The young and elderly would be at most risk, as would immunocompromised people and people suffering from malnutrition and inadequate basic health services. We know this, we are aware of the problems, and we must take action to ensure the health and safety of the most vulnerable. Guaranteeing safety means taking responsibility for all of our communities' responses and plans.

I am pleased that I was able to join many of my colleagues in sending a letter to President Bush on October 4, 2005, that urged the administration to release a finalized Pandemic Influenza Response and Preparedness Plan, which the World Health Organization has deemed essential to planning a strategy in the case of a global pandemic. I am eagerly waiting for this plan to be released, as I believe it is of extreme importance to the American people. I am also pleased that the Senate approved a measure to add \$3.9 billion to the Defense Department's budget for the purchase of vaccines and medicines to treat avian flu, and I hope to see the House agree to this in conference. This was an important measure to help prepare Americans, particularly those most vulnerable, against the ravages of a fatal disease.

While we do not know when or where this pandemic may develop, we must work to prepare now.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY DECLARED IN EXECUTIVE ORDER 12938 WITH RESPECT TO THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—PM 28

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the emergency posed by the proliferation of weapons of mass destruction and their means of delivery declared by Executive Order 12938 on November 14, 1994, as amended, is to continue in effect beyond November 14, 2005. The most recent notice continuing this emergency was signed on November 4, 2004, and published in the *Federal Register* on November 8, 2004 (69 FR 64637).

Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, I have determined the national emergency previously declared must continue in effect beyond November 14, 2005.

GEORGE W. BUSH.
THE WHITE HOUSE, October 25, 2005.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 1:09 p.m., a message from the House of Representatives, delivered by Ms. Brandon, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 397. An act to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3894. To provide for waivers under certain housing assistance programs of the De-

partment of Housing and Urban Development to assist victims of Hurricane Katrina and Hurricane Rita in obtaining housing; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3895. To amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina or Hurricane Rita; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3896. To temporarily suspend, for communities affected by Hurricane Katrina or Hurricane Rita, certain requirements under the community development block grant program; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2123. An act to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 25, 2005, she had presented to the President of the United States the following enrolled bill:

S. 397. An act to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4377. A communication from the Secretary of the Air Force, transmitting, pursuant to law, the report of a Program Acquisition Unit Cost (PAUC) Breach relative to the National Polar-orbiting Operational Environmental Satellite System; to the Committee on Armed Services.

EC-4378. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John W. Rosa, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4379. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a consolidated report of the Administration's processing of continuing disability reviews for fiscal year 2004; to the Committee on Finance.

EC-4380. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice—Pension Funding Equity Act of 2004" (Notice 2005-71) received on October 18, 2005; to the Committee on Finance.

EC-4381. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—August 2005" (Rev. Rul. 2005-69) received on October 18, 2005; to the Committee on Finance.

EC-4382. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Deemed Duration of Marriage for Widows/Widowers and Removal of Restriction on Benefits to Children of Military Parents Overseas" (RIN0960-AG23) received on October 18, 2005; to the Committee on Finance.

EC-4383. A communication from the Director, Regulations and Disclosure Law Division, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension of Import Restrictions Imposed on Certain Categories of Archaeological Material from the Pre-Hispanic Cultures of the Republic of Nicaragua" (RIN1505-AB61) received on October 18, 2005; to the Committee on Finance.

EC-4384. A communication from the National President, Women's Army Corps Veterans' Association, transmitting, pursuant to law, a report of the Association's financial statements for the year ended June 30, 2005; to the Committee on the Judiciary.

EC-4385. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Red Hill Douglas County, Oregon Viticultural Area" (RIN1513-AA39) received on October 18, 2005; to the Committee on the Judiciary.

EC-4386. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Dos Rios Viticultural Area" (RIN1513-AA95) received on October 18, 2005; to the Committee on the Judiciary.

EC-4387. A communication from the Attorney Advisor, National Highway Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Administrator, received on October 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4388. A communication from the Under Secretary and Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Provisions for Claiming the Benefit of a Provisional Application with a Non-English Specification and Other Miscellaneous Matters" (RIN0651-AB85) received on October 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4389. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of \$100,000,000 or more to Japan (technical data, defense services and hardware related to the sale and inspection of U-125A aircraft); to the Committee on Foreign Relations.

EC-4390. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of \$100,000,000 or more to Japan (design, production and launch of the BSAT-3a commercial communications satellite); to the Committee on Foreign Relations.

EC-4391. A communication from the Acting Assistant Secretary for Legislative Affairs,

Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of \$100,000,000 or more to Sea Launch Company LLC and the Boeing Company (JCSAT 9); to the Committee on Foreign Relations.

EC-4392. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of \$72,000,000 or more to Japan (Evolved SeaSparrow Missile); to the Committee on Foreign Relations.

EC-4393. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the dollar value of articles, materials, and supplies purchased by the United States Department of State that were manufactured outside of the United States; to the Committee on Foreign Relations.

EC-4394. A communication from the Director of Finance and Administration, Delta Regional Authority, transmitting, pursuant to law, the Authority's Audited Financial Statements for Fiscal Year 2004; to the Committee on Environment and Public Works.

EC-4395. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting, a report of proposed legislation relative to the Civil Works program of the Army Corps of Engineers; to the Committee on Environment and Public Works.

EC-4396. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting, pursuant to law, a report recommending authorization of the project for ecosystem restoration, Denver County Reach, South Platte River, Denver, Colorado; to the Committee on Environment and Public Works.

EC-4397. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Redesignation of City of New Haven PM10 Non-attainment Area to Attainment and Approval of the Limited Maintenance Plan" (FRL7979-8) received on October 18, 2005; to the Committee on Environment and Public Works.

EC-4398. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Visible and Particulate Emissions from Glass Melting Facilities" (FRL7984-7) received on October 18, 2005; to the Committee on Environment and Public Works.

EC-4399. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of VOC from AIM Coatings" (FRL7984-6) received on October 18, 2005; to the Committee on Environment and Public Works.

EC-4400. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

"Approval and Promulgation of Implementation Plans; Texas; Speed Limits Local Measure for the Dallas/Fort Worth Ozone Non-attainment Area" (FRL7982-1) received on October 18, 2005; to the Committee on Environment and Public Works.

EC-4401. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Maintenance Plan Revisions; Wisconsin" (FRL7974-4) received on October 18, 2005; to the Committee on Environment and Public Works.

EC-4402. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Monterey Bay United Air Pollution Control District" (FRL7975-1) received on October 18, 2005; to the Committee on Environment and Public Works.

EC-4403. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "TSCA Inventory Update Reporting Partially Exempted Chemicals List; Addition of 1,2,3-Propanetriol" (FRL7715-2) received on October 18, 2005; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. GRASSLEY for the Committee on Finance.

*Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade.

*Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury.

*James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

*Karan K. Bhatia, of Maryland, to be Deputy United States Trade Representative, with the Rank of Ambassador.

*Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador.

By Mr. LUGAR for the Committee on Foreign Relations.

*C. Boyden Gray, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador.

Nominee: Clayland Boyden Gray.

Post: U.S. Ambassador to the European Union.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: 1,000.00, 01/22/01, Collins for Senate (2002-P); 1,000.00, 05/03/01, Friends of Connie Morella (2002-P); 10,000.00, 05/11/01, National Republican Senatorial Committee; 1,000.00, 05/21/01, Bob Smith for Senate (2002-P); 1,000.00, 06/13/01, Voinovich for Senate (2004-P); 4,000.00, 06/13/01, The 2001 President's Dinner (1/2 NRSC and 1/2 NRCC); 1,000.00, 06/15/01, Senator John Warner Committee (2002-P); 1,000.00, 06/26/01, Lindsey Graham for Senate (2002-P); 500.00, 07/09/01, Friends of Max Baucus (2002-P); 1,000.00, 07/13/01, Inhofe for Senate (2002-P); 1,000.00, 09/11/01, Texas Freedom

Fund; 500.00, 10/04/01, McConnell for Senate 2002 (2002-P); 1,000.00, 10/04/01, McConnell for Senate 2002 (2002-G); 1,000.00, 10/23/01, Citizens for Arlen Specter (2004-G); 1,000.00, 10/23/01, Dole 2002 Committee (2002-P); -1,000.00, 10/23/01, Friends of Phil Gramm (REFUND of contribution made in 1998 for 2002 general election); 500.00, 11/05/01, Hagel for Senate (2002-P); 1,000.00, 12/05/01, Coleman for Senate (2002-P); 7,500.00, 12/05/01, National Republican Senatorial Committee; 1,000.00, 12/05/01, Greenwood for Congress (2002-P); 1,500.00, 12/26/01, Senate Majority Fund; 1,000.00, 12/26/01, Lynette Boggs McDonald for Congress (2002-P); 1,000.00, 12/26/01, John Thune for South Dakota (2002-P); 1,500.00, 01/02/02, Senate Majority Fund; 1,000.00, 01/14/02, America's Foundation; 1,000.00, 01/14/02, Tennesseans for Thompson (2002-P); 500.00, 02/21/02, Nancy Johnson for Congress (2002-P); 1,000.00, 02/21/02, The Richard Burr Committee (2002-P); 1,000.00, 03/21/02, Kevin Raye for Congress; 1,000.00, 04/22/02, Tom Young for Congress (2002-P); 1,000.00, 04/25/02, People for Pete Domenici (2002-P); 1,000.00, 02/13/03, Judd Gregg Committee (2004-P); 2,000.00, 4/01/03, The Richard Burr Committee (2004-P); 5,000.00, 04/21/03, VOLPAC; 2,000.00, 04/28/03, Friends of George Allen (2006-P); 1,000.00, 05/22/03, Portman for Congress (2004-P); 200.00, 6/12/03, Committee to Re-Elect Congressman Rohrabacher (2004-P); 2,000.00, 06/13/03, Bush-Cheney '04, Inc. (2004-P); 25,000.00, 06/26/03, Republican National Committee; 1,000.00, 06/30/03, Voinovich for Senate (2004-P); 2,000.00, 06/30/03, Voinovich for Senate (2004-G); 1,000.00, 07/21/03, DeWine for U.S. Senate (2002-P); 1,000.00, 07/21/03, Judd Gregg Committee (2004-P); 1,000.00, 09/22/03, Friends of Sessions Senate Committee, Inc. (2004-P); 2,000.00, 10/02/03, The Richard Burr Committee (2004-G); 1,000.00, 10/21/03, Citizens for Arlen Specter (2004-P); 2,000.00, 12/09/03, Tom Davis for Congress (2004-P); 2,000.00, 02/04/04, Congressman Joe Barton Committee (2004-P); 500.00, 03/02/04, David Vitter for U.S. Senate (2004-P); 2,000.00, 03/12/04, Elizabeth Dole Committee (2008-P); 25,000.00, 03/15/04, Republican National Committee; 2,000.00, 03/15/04, Paterno for Congress (2004-P); 1,000.00, 03/15/04, Portman for Congress (2004-P); 2,000.00, 03/26/04, Martinez for Senate (2004-P); 1,000.00, 03/26/04, Citizens for Arlen Specter (2004-G); 2,000.00, 03/31/04, Frelinghuysen for Congress (2004-P); 1,500.00, 05/24/04, Friends of Connie Mack (2004-P); 1,000.00, 05/25/04, The Judd Gregg Committee (2004-G); 500.00, 05/25/04, Bill Manger for Congress (2004-P); 1,000.00, 06/25/04, Bond for U.S. Senate (2004-P); 2,500.00, 07/01/04, National Republican Senatorial Committee, 10,000.00, 08/24/04, McCollum for U.S. Senate (FEC Reg. 400.42(c) 2004; primary contribution of increase in limitation only); 500.00, 01/07/05, Santorum 2006 (2006-P); 3,500.00, 01/14/05, National Republican Senatorial Committee; 4,500.00, 01/18/05, National Republican Senatorial Committee; 1,000.00, 02/10/05, The Sensenbrenner Committee (2006-P); 500.00, 03/07/05, Gerlach for Congress (2006-P); 1,000.00, 03/07/05, Snowe for Senate (2006-P); 1,000.00, 03/07/05, Friends of Sessions Senate Committee (2008-P); 500.00, 03/07/05, Alexander for Senate (2008-P); 1,000.00, 03/07/05, Friends of George Allen (2006-G); 1,000.00, 03/09/05, Chambliss for Senate (2008-P); 900.00, 03/10/05, VOLPAC; 500.00, 03/10/05, Portman for Congress (2006-P); -500.00, 03/21/05, Portman for Congress (contribution returned); 25,000.00, 05/06/05, Republican National Committee; 100.00, 06/01/05, Elizabeth Dole Committee, Inc. (2008-P); 2,100.00, 06/01/05, Elizabeth Dole Committee, Inc. (2008-G); 2,500.00, 06/01/05, National Republican Senatorial Committee; 2,000.00, 06/01/05, Frelinghuysen for Congress (2006-P).

Abbreviations:

P—Primary election contribution for election year specified.

G—General election contribution for election year specified.

2. Spouse: N/A.

3. Children and Spouse: Eliza Gray, None.

4. Parents: Jane Boyden Craig—Deceased; Gordon Gray—Deceased.

Nancy Gray-Pyne (Step-mother), 1,000.00, 8/3/01, Susan M. Collins (via Collins for Senate); 500.00, 8/26/01, Susan M. Collins (via Collins for Senate); 500.00, 11/6/02, Thomas Cass Ballenger (via Cass Ballenger for Congress Committee); 500.00, 2004, John Thune for Senate; 500.00, 2004, Kerry Victory.

5. Grandparents: Bowman Gray (paternal)—Deceased; Nathalie Fontaine Lyons (paternal)—Deceased; maternal grandfather—Deceased; maternal grandmother—Deceased.

6. Brothers and Spouses: Burton C. Gray—Deceased; Gordon Gray, Jr.—None.

Maggie Gray, 1,000.00, 7/22/03, Howard Dean (via Dean for America); 1,000.00, 2/5/04, Howard Dean (via Dean for America).

Bernard Gray, 1,000.00, 2/1/01, Republican National Committee; 500.00, 9/17/01, Irvin, Bob (via Bob Irvin Senate Committee, Inc.); 1,000.00, 10/3/02, Republican National Committee; 1,000.00, 7/8/03, Bush, George W. (via Bush/Cheney '04 (Primary) Inc.); 2,000.00, 6/11/03, Clay, Charles (via Clay for Congress.com); 250.00, 3/16/04, Isakson, John Hardy (via Georgians for Isakson); 2,000.00, 7/9/04, Clay, Charles (via Clay for Congress.com); 2,000.00, 10/20/04, Burr, Richard (via Richard Burr Committee).

Anne Gray, 1,000.00, 7/8/03, Bush, George W. (via Bush/Cheney '04 Primary, Inc.).

7. Sisters and Spouses: None.

*David B. Dunn, of California, to be Ambassador to the Togolese Republic.

Nominee: David B. Dunn

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, Donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: Thomas A. Dunn—None; Brian J. Dunn—None.

4. Parents: Elmer L. Dunn—Deceased 2003, \$65.00, 1/10/02, Repub. Natl. Comm.; Marjory H. Dunn—None.

5. Grandparents: Morris Dunn, Frances Dunn—Both deceased—None; Thomas Hill, Susan Hill—Both deceased—None.

6. Brothers and Spouses: Stephen E. Dunn—None; Jeannette Dunn—None.

7. Sisters and Spouses: Not Applicable.

*Cannen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia.

Nominee: Carmen Maria Martinez.

Post: Zambia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, Donee:

1. Carmen Maria Martinez—None.

2. Victor Juan Eugenio Reimer—None.

3. Children and Spouses: Alexander Reimer—None.

Parents: Jose Luis Martinez—None; Hortense Margaret Martinez—None.

5. Grandparents: All deceased.

6. Brothers and Spouses: Luis Anthony Martinez—None; Tanya Martinez—None.

7. Sisters and Spouses: Lisa Dormi—None; Alberto Dormi—None.

Julie Brumley—None; David Brumley—None.

*Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda.

Nominee: Michael R. Arietti.

Post: Kigali.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, Donee:

1. Self: \$25.00, Sept. 04, Nat'l Dem. Committee.

2. Spouse: \$25.00, June 04, Nat'l Dem. Committee.

3. Children and Spouses Names: Rachael—None.

4. Parents: Names: Michael J. Arietti—Deceased; Margaret M. Arietti—Deceased.

5. Grandparents Names: Ricardo Arietti—Deceased; Pierina Arietti—Deceased; Gustav Schiller—Deceased; Lillian Schiller—Deceased.

6. Brothers and Spouses Names: James T. Arietti; Martha Arietti—None.

7. Sisters and Spouses Names: None—None.

*Benson K. Whitney, of Minnesota, to be Ambassador to Norway.

Nominee: Benson K. Whitney.

Post: Ambassador to Norway.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

***Denotes contributions/changes made from 4/23/05 original SRFC form to 10/21/05.

Contributions, amount, date, and donee:

1. Self: \$5,000, 10/4/00, RNC Republican National State Elections; \$20,000, 10/5/00, Republican National Committee*** in process of obtaining \$5,500 refund from RNC for this contribution; \$10,000, 10/25/00, RNC Republican National State Elections; \$15,000, 11/20/00, RNC Republican National State Elections; \$25,000, 4/23/05, Republican National Committee; \$25,000, 5/11/04, RNC 2004 Joint State Victory Committee; \$5,000, 4/12/05, Northstar Leadership PAC; \$20,000, 2/26/02, Coleman Leadership Committee Non Fed; \$5,000, 2/27/02, Coleman Leadership Committee; \$5,000, 2/28/02, Coleman Leadership Committee; \$1,000, 10/24/03, Coleman for Senate '08; \$1,000, 11/29/04, Coleman for Senate '08; \$1,000, 6/14/05, Coleman for Senate '08***; \$500, 9/23/05, Coleman for Senate '08***; \$3,000, 6/3/02, Minnesotans for a Republican Congress Committee; \$1,000, 7/10/02, Rally for Leadership; \$268, 7/11/02, Rally for Leadership; \$2,000, 10/21/04, Tim Michels for U.S. Senate; \$1,000, 5/30/03, Gutknecht for Congress; \$1,000, 6/30/01, Gutknecht for Congress; \$500, 9/9/00, Gutknecht for Congress; \$2,500, 12/15/00, Minnesotans for Americas Promise; \$1,000, 5/7/03, Jim Ramstad Volunteer Committee; \$250, 4/19/01, Jim Ramstad Volunteer Committee; \$1,000, 11/3/00, Jim Ramstad Volunteer Committee; \$500, 9/8/00, National Republican Congressional Comm.; \$1,000, 6/21/00, Lazio 2000 Inc.; \$1,000 8/19/00, Lazio 2000 Inc.; \$1,000, 6/15/01, Ramstad Volunteer Committee; \$1,000, 10/11/01, Ramstad Volunteer Committee; \$500, 7/30/02, Ramstad Volunteer Committee; \$500, 6/10/98, Kline for Congress; \$1,000, 2/15/00, Kline for Congress; \$1,000, 4/8/02, Kline for Congress; \$1,000, 6/25/02, Kline for Congress; \$250, 11/12/03, Kline for Congress; \$500, 8/3/04, Kline for Congress; \$500, 9/3/04, Kline for Congress; \$500, 10/4/04, Kline for Congress; \$250, 10/28/04, Kline for Congress; \$500, 2/21/05, Kline for Congress; \$1,000, 4/26/02, Dan Stevens Congressional Exploratory Comm.; \$500, 10/29/02, Dan Stevens

Congressional Exploratory Comm.; \$2,500, 10/31/00, Swing States for a Conservative White House; \$500, 6/29/00, Gutknecht for Congress; \$500, 2/25/02, Gutknecht for Congress; \$500, 2/10/04, Gutknecht for Congress; \$200, 8/25/00, Log Cabin Republicans; \$1,000 8/9/04 Citizens for Arlen Specter; \$200, 12/20/02, Barkely For Senate; \$500, 6/20/00, Runbeck for Congress; \$500, 9/14/00, Runbeck for Congress; \$500, 8/25/04, Progress for America Voter Fund; \$100, 10/13/00, Denny Rehberg for Congress; \$1,000, 1/23/04, Russ Darrow for Senate; \$500, 5/13/03, Nat'l Thoroughbred Racing Assn PAC; \$500, 3/15/04, Nat'l Thoroughbred Racing Assn PAC; \$1,000, 5/22/00, Bush for President, Inc.; \$1,000, 6/27/00, Bush for President, Inc.; \$1,000, 6/27/00, Bush Cheney 2000 Compliance Comm.; \$5,000, 11/14/00, Bush-Cheney Reaccount Fund; \$500, 1/12/01, Grams for U.S. Senate; \$1,000, 4/19/00, Grams for U.S. Senate; \$1,000, 5/23/03, Kline for Congress; \$500, 8/22/00, Kline for Congress; \$500, 5/15/00, Kline for Congress; \$4,200, 3/9/05, Kennedy for U.S. Senate; \$1,000, 5/26/03, Mark Kennedy for Congress; \$1,000, 12/28/01, Kennedy '02; \$1,000, 4/6/00, Kennedy for Congress; \$5,030, 10/15/03, Republican Party of Minnesota; \$5,000, 4/1/02, Republican Party of Minnesota; \$5,000, 10/25/01, Republican Party of Minnesota; \$1,000, 8/19/00, Lazio 2000 Inc.; \$5,000, 6/8/04, Demint for Senate Committee; \$1,000, 1/4/04, Sturrock for Congress; \$1,000, 12/26/03, Sturrock for Congress; \$500, 9/1/00, Runbeck for Congress; \$500, 6/1/00, Runbeck for Congress; \$1,000, 10/21/02, John Thune for South Dakota; \$1,000, 4/28/02, John Thune for South Dakota; \$10,000, 12/6/00, Bush Cheney Presidential Fund 2000; \$5,000, 11/13/00, Bush Cheney Reaccount Fund; \$2,000, 8/22/03, Bush-Cheney '04 (Primary) Inc.; \$892, 8/25/04, Arkansas Leadership Committee 2004; \$500, 8/23/02, Dan Stevens Exploratory Committee; \$5,000, 4/24/01, Republican National Congressional Committee.

2. Spouse: Mary Whitney; \$4,200, 3/9/05, Kennedy for Senate; \$1,000, 10/21/00, Kennedy for Congress; \$2,000, 6/5/01, Coleman for U.S. Senate; \$1,000, 10/21/00, Kline for Congress; \$1,000, 10/22/00, Kline for Congress; \$1,000, 11/0/00, Ramstad Volunteer Committee; \$25,000, 4/22/05, Republican National Committee; \$15,000, 11/20/00, Republican National Committee; \$2,000, 8/22/03, Bush-Cheney '04 (Primary) Inc.; \$1,000, 7/19/02, Rally for Leadership Fund; \$2,000, 6/3/02, Minnesotans for a Republican Congress Committee.

3. Children and Spouses: Victoria Whitney (No Spouse): None; John Whitney (No Spouse): None; David Whitney (No Spouse): None; Copeland Whitney (No Spouse): None.

4. Parents: Wheelock Whitney: \$1,000, 4/4/00, Kennedy for Congress; \$500, 10/10/00, Kennedy for Congress; \$1,000, 6/15/01, Mark Kennedy '02; \$1,000, 2/22/02, Mark Kennedy '02; \$500, 1/11/03, Mark Kennedy for Congress; \$750, 6/10/03, Mark Kennedy for Congress; \$500, 9/5/03, Mark Kennedy for Congress; \$250, 12/11/03, Mark Kennedy for Congress; \$250, 12/11/03, Mark Kennedy for Congress; \$750, 6/6/04, Mark Kennedy for Congress; \$500, 8/25/04, Mark Kennedy for Congress; \$500, 11/2/04, Mark Kennedy for Congress; \$1,000, 3/7/05, Kennedy for U.S. Senate; \$20,000, 2/22/02, Coleman Leadership Non Fed; \$5,000, 2/22/02, Coleman Leadership Committee; \$5,000, 2/23/02, Coleman Leadership Committee; \$2,500, 10/22/02, Coleman Victory Comm Non Fed; \$1,000, 5/24/01, Norm Coleman for U.S. Senate; \$1,000, 6/19/01, Norm Coleman for U.S. Senate; \$35,000, 8/9/00, RNC Republican State Elections Committee; \$15,000, 10/17/00, RNC Republican State Elections Committee; \$15,000, 8/3/00, Republican National Committee; \$2,000, 7/24/03, Bush-Cheney '04 (Primary).

Kathleen Blatz (stepmother): None.

5. Grandparents: Wheelock Whitney, Sr.: Deceased; Katherine Kimball Whitney: Deceased; Joseph M. Hixon: Deceased; Dorothy Laughlin: Deceased.

6. Brothers and Spouses: Wheelock Whitney III (No Spouse): \$5,000, 6/28/00, DNC Services/DNC; \$2,500, 11/6/03, DNC Services/DNC; \$2,500, 3/23/04, DNC Services/DNC; \$2,500, 9/16/04, DNC Services/DNC; \$2,500, 10/27/04, DNC Services/DNC; \$2,500, 6/19/03, DNC Services/DNC; \$250, 8/7/02, Pillsbury for Congress; \$1,000, 3/25/99, Kostmeyer 2000; \$1,000, 3/26/99, Kostmeyer 2000; \$2,000, 4/30/04, John Kerry for President; \$250, 7/19/04, A lot of People Supporting Tom Daschle; \$250, 3/1/00, Flanagan for U.S. Senate; \$750, 3/2/00, Flanagan for U.S. Senate.

Joseph H. Whitney: \$2,500, 12/18/01, Norm Coleman for U.S. Senate; \$1,000, 3/12/02, Coleman Leadership Comm.; \$1,000, 3/13/02, Coleman Leadership Comm.; \$2,000, 9/28/03, Bush-Cheney '04 (Primary) Inc.

Sue Peterson (former spouse): None.

7. Sisters and Spouses: Pennell Whitney: \$1,000, 9/9/04, DNC Services Corporation/DNC; \$500, 5/10/02, Pillsbury for Congress; \$500, 9/30/02, Pillsbury for Congress; \$2,000, 7/7/04, John Kerry for President; \$1,000, 6/22/00, Flanagan for U.S. Senate; \$1,000, 7/17/02, Rally for Leadership.

*David M. Hale, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Hashemite Kingdom of Jordan.

Nominee: David M. Hale.

Post: Ambassador to Jordan.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee.

1. Self: None.

2. Spouse: N/A.

3. Children and spouses: N/A.

4. Parents: John M. Hale, deceased.

Marjorie Kler Freeman: \$25, 2004, National Republican Party; \$50, 2003, National Republican Party.

5. Grandparents: Joseph H. Kler: Deceased; Elizabeth V. Kler: Deceased; John M. Hale: Deceased; Jessamine Hale: Deceased.

6. Brothers and spouses: John M. Hale: None; Laurie Hale: None.

7. Sisters and Spouses: N/A.

*Nicholas F. Taubman, of Virginia, to be Ambassador to Romania.

Nominee: Nicholas F. Taubman.

Post: Ambassador to Romania.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee.

1. Self: \$1,000, 5/10/01, Senator John Warner Committee; \$10,000, 5/21/01, RNC State Elections Committee; \$15,000, 5/21/01, Republican National Committee; \$5,000, 10/22/01, Good Government for America PAC; \$750, 12/31/01, Senator John Warner Committee; \$25,000, 2/27/02, RNC State Elections Committee; \$100,000, 2/27/02, RNC State Elections Committee; \$5,000, 3/26/02, Over the Hill PAC (Joint Fundraiser); \$1,000, 5/20/02, Norm Coleman for U.S. Senate; \$1,000, 5/20/02, Norm Coleman for U.S. Senate; \$4,000, 5/20/02, Norm Coleman for U.S. Senate; \$2,000, 6/11/02, Norm Coleman for U.S. Senate; \$1,000, 6/13/02, Texans for Senator John Cornyn, Inc.; \$4,000, 6/28/02, Good Government for America PAC; \$1,000, 6/29/02, Friends of George Allen; \$1,000, 7/8/02, Goode for Congress (Virgil Goode); \$1,000, 8/8/02, John Thune for South Dakota; \$1,000, 8/9/02, Forrester 2002 (Douglas Forrester); \$1,000, 8/9/02, Forrester 2002 (Doug-

las Forrester); \$1,000, 8/13/02, Ganske for Senate; \$100,000, 9/17/02, RNC State Elections Committee; \$1,000, 10/7/02, Eric Cantor for Congress; \$5,000, 10/23/02, Georgia Unity (Joint Fundraiser); \$4,000, 11/1/02, Georgia Republican Party; \$1,000, 11/4/02, Chambliss for Senate (S. Chambliss); \$1,000, 11/11/02, Terrell for Senate (Suzanne Terrell); \$5,000, 3/3/03, Good Government for America PAC; \$25,000, 4/29/03, Republican National Committee; \$2,000, 5/9/03, Bob Goodlatte for Congress Committee; \$2,000, 6/18/03, Missourians for Kit Bond; \$2,000, 6/18/03, Missourians for Kit Bond; \$2,000, 6/26/03, Bush-Cheney '04 (Primary), Inc.; \$2,000, 3/24/04, Bob Goodlatte for Congress Committee; \$1,000, 6/28/04, Goode for Congress (Virgil Goode); \$25,000, 8/13/04, Republican National Committee; \$2,500, 9/17/04, Every Republican is Crucial (ERICPAC).

2. Spouse: Eugenia L. Taubman: \$5,000, 10/22/01, Good Government for America PAC; \$1,000, 12/31/01, Senator John Warner Committee; \$1,000, 12/31/01, Senator John Warner Committee; \$1,000, 6/3/02, Texans for Senator John Cornyn, Inc.; \$25,000, 4/29/03, Republican National Committee; \$2,000, 6/30/03, Bush-Cheney '04 (Primary), Inc.; \$2,000, 3/24/04, Bob Goodlatte for Congress Committee; \$25,000, 8/13/04, Republican National Committee; \$2,500, 9/17/04, Every Republican is Crucial (ERICPAC).

3. Children and Spouses: Marc E. Taubman, Child: \$500, 5/10/01, Senator John Warner Committee; \$1,000, 5/20/02, Norm Coleman for U.S. Senate; \$1,000, 6/25/03, Bush-Cheney '04 (Primary), Inc.; \$1,000, 6/25/03, Bush-Cheney '04 (Primary), Inc.

Nan B. Taubman, Child's spouse: \$1,000, 6/25/03, Bush-Cheney '04 (Primary), Inc.; \$1,000, 6/25/03, Bush-Cheney '04 (Primary), Inc.

Lara L. Taubman, Child (single): \$2,000, 6/26/03, Bush-Cheney '04 (Primary), Inc.; \$2,100, 3/31/05, Friends of George Allen.

4. Parents: Arthur Taubman: Deceased; Grace Taubman: Deceased.

5. Grandparents: Fanny Weber: Deceased; Leslie Weber: Deceased; Sophie Taubman: Deceased; Morris Taubman: Deceased.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Stephanie T. Low, Sister (divorced): \$1,000, 4/30/01, Cantwell 2006 (Maria Cantwell); \$1,000, 11/5/01, DNC Services Corporation; \$250, 5/9/02, Jean Carnahan for Missouri Committee; \$500, 7/17/02, PAC to the Future; \$1,000, 7/22/02, Ron Kirk for U.S. Senate; \$1,000, 7/29/02, Texas U.S. Senate 2002; \$2,000, 8/6/02, DNC Services Corporation; \$20,000, 10/1/02, DNC-Non-Federal Individual (Soft Money); \$10,100, 10/7/02, Shaheen for Senate Committee; \$300, 10/14/02, Citizens to Elect Rick Larsen; \$1,000, 10/14/02, Ron Kirk for U.S. Senate; \$350, 10/14/02, Rush Holt for Congress; \$1,000, 10/14/02, Wellstone for Senate; \$1,000, 10/16/02, Ron Kirk for U.S. Senate; \$1,500, 10/18/02, South Dakota Democratic Party; \$1,000, 10/31/02, Jean Carnahan for Missouri Committee; \$500, 11/1/02, Jill Long Thompson Committee; \$1,000, 11/1/02, Minnesota Democratic Farmer Labor Party; \$1,000, 11/2/02, Mondale for Senate; \$250, 7/15/02, Richardson for Congress; \$350, 10/16/02, Inslee for Congress; \$500, 10/24/02, Schneider for Congress; \$2,000, 3/18/03, Dean for America; \$500, 12/15/03, Rush Holt for Congress; \$500, 12/17/03, Hoeffel for Senate Committee; \$10,000, 5/20/03, DNC Services Corporation; \$15,000, 7/8/03, DNC Services Corporation; \$2,000, 2/25/04, TruthandHope.org; \$500, 3/26/04, Downtown for Democracy; \$2,000, 4/12/04, John Kerry for President, Inc.; \$200, 5/11/04, Moveon PAC; \$200, 6/10/04, Moveon PAC; \$250, 6/10/04, Democracy for America; \$500, 6/11/04, John Kerry for President, Inc.; \$500, 7/1/04, Hoeffel for Senate Committee; \$200, 7/15/04, Moveon PAC; \$200, 7/15/04, Moveon PAC; \$250, 7/16/04, Kalyn Free for Congress; \$250, 7/16/04, Jim Stork for Congress; \$250, 7/16/04, Richard Romero for Congress; \$250, 7/20/04, Moveon

PAC; \$15,000, 7/27/04, Kerry Victory 2004; \$15,000, 7/27/04, DNC Services Corporation; \$1,000, 7/31/04, America Coming Together; \$500, 8/2/04, Rush Holt for Congress; \$2,500, 8/3/04, Moveon PAC; \$5,000, 8/5/04, Downtown for Democracy; \$1,000, 9/2/04, Democracy for America; \$1,000, 9/5/04, Mitakides for Congress; \$500, 9/6/04, Hoeffel for Senate Committee; \$2,000, 9/10/04, A Lot of People Supporting Tom Daschle; \$1,000, 9/15/04, Moveon PAC; \$2,000, 9/15/04, Paul Babbitt for Congress; \$2,000, 9/15/04, Campaign for Florida's Future; \$2,000, 9/16/04, Lois Murphy for Congress; \$2,000, 9/16/04, Thomas for Congress; \$2,000, 9/18/04, Friends of Frank Barbaro; \$2,000, 9/20/04, Richard Romero for Congress; \$2,000, 9/22/04, Schrader for Congress; \$1,000, 9/29/04, Friends of Jan Schneider; \$2,000, 10/1/04, Allyson Schwartz for Congress; \$2,000, 10/7/04, Inez Tenenbaum for U.S. Senate; \$2,000, 10/8/04, Salazar for Senate; \$1,000, 10/17/04, Downtown for Democracy; \$500, 10/23/04, Hoeffel for Senate Committee; \$800, 10/31/04, Friends of Jan Schneider; \$2,000, 12/14/04, Cobb/Lamarche; \$500, 1/20/05, Allyson Schwartz for Congress.

*Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria.
Nominee: Susan Rasinski McCaw.
Post: Ambassador.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions. Amount, Date, and Donee.

1. Self: \$250, 09/07/2005, Friends of George Allen; \$1,350, 03/18/2005, Friends of Reagan Dunn; \$5,000, 06/03/2004, National Republican Senatorial Committee; \$1,000, 05/19/2005, Anibal 2004; \$25,000, 05/17/2004, 2004 Joint Candidate Committee; \$25,000, 05/17/2004, RNC—Presidential Trust; \$25,000, 12/31/2003, Republican National Committee; \$2,000, 06/27/2003, Bush-Cheney '04, Inc.; -\$750, 11/08/2002, Friends of Jennifer Dunn; \$1,750, 10/08/2002, Friends of Jennifer Dunn; \$1,000, 09/17/2002, Daschle; \$1,000, 09/17/2002, Friends of Max Cleland; \$1,000, 09/17/2002, Friends of Max Cleland; \$1,000, 12/31/2001, Friends of Max Cleland; \$500, 10/12/2001, Senator Kay Bailey Hutchison's Leadership PAC; \$250, 08/23/2001, Friends of Jennifer Dunn; \$1,000, 07/27/2001, Hollings for Senate; \$1,000, 07/27/2001, Markey for Congress Committee; \$5,000, 06/13/2001, XO Communications, Inc. PAC; \$1,000, 06/13/2001, Cantwell 2000/2006; \$50,000, 01/17/2001, Presidential Inaugural Committee.

2. Spouse: Craig O. McCaw: \$250, 09/07/2005, Friends of George Allen; \$1,000, 06/07/2005, Pickering for Congress; \$2,000, 06/07/2005, Keep Our Majority Political Action Committee; \$1,350, 03/18/2005, Friends of Reagan Dunn; \$100,000.00, 01/07/2005, 55th President Inaugural Committee; \$3,000, 06/22/2004, The Markey Committee; \$5,000, 06/03/2004, National Republican Senatorial Committee; \$1,000, 05/19/2004, Partido Popular; \$25,000, 05/17/2004, 2004 Joint Candidate Committee; \$25,000, 05/17/2004, Republican National Committee—Presidential Trust; \$1,000, 05/05/2004, Stevens for Senate Committee; \$1,000, 05/04/2004, Daniel K. Inouye in 2004; \$1,000, 05/04/2004, Pickering for Congress; \$2,000, 03/31/2004, Reichert for Congress; \$2,000, 02/29/2004, Governor Rosello; \$25,000, 12/31/2003, Republican National Committee; -\$1,000, 12/23/2003, Hollings for Senate; \$2,000, 12/10/2003, Cantwell 2000/2006; \$4,000, 12/05/2003, Wyden for Senate; \$1,000, 07/10/2003, Friends of Dorgan; \$2,000, 06/27/2003, Bush-Cheney '04, Inc.; -\$750, 11/08/2002, Friends of Jennifer Dunn; \$1,750, 10/08/2002, Friends of Jennifer Dunn; \$1,000, 09/17/2002, Tom Daschle; \$1,000, 04/25/2002, Senator Byron Dorgan; \$1,000, 12/31/2001, Friends of

Harry Reid; \$1,000, 12/31/2001, Friends of Max Cleland; \$500, 10/12/2001, Cannon for Congress; \$1,000, 10/12/2001, Stevens for Senate Committee; \$250, 08/23/2001, Friends of Jennifer Dunn; \$1,000, 07/27/2001, Hollings for Senate; \$1,000, 07/27/2001, Markey for Congress Committee; \$1,000, 06/29/2001, Americans for a Republican Majority; \$5,000, 06/13/2001, XO Communications, Inc. PAC; \$1,000, 06/13/2001, Cantwell 2000/2006; \$50,000, 01/17/2001, Presidential Inaugural Committee.

*Contribution made by Clearwire Corporation of which donor is President and CEO.

3. Children and Spouses: Chase O. McCaw: None; Julia L. McCaw: None; Reid C. McCaw: None.

4. Parents: Joan Rasinski: \$10, 2004, Republican National Committee; \$2,000, 08/19/2003, Bush-Cheney '04; \$10, 2003, Republican National Committee; \$10, 2002, Republican National Committee; \$10, 2001, Republican National Committee.

Julius Victor Rasinski: None.

5. Grandparents: Clara Rasinski: Deceased; Julius Rasinski: Deceased; Laura Rosinski: Deceased; Louis Rosinski: Deceased.

6. Brothers and Spouses: Stephen Rasinski: None; Cheryl Rasinski: None; Peter Rasinski: None; Susan Rasinski: None; Thomas Rasinski: None; Lisbeth Rasinski: None.

7. Sisters and Spouses: Julie Yale aka Dagley: \$2,000, 08/26/2003, Bush-Cheney '04; Steve Dagley: None.

*Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years.

*Anne W. Patterson, of Virginia, to be an Assistant Secretary of State (International Narcotics and Law Enforcement Affairs).

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Foreign Service nominations beginning with Deanna Hanek Abdeen and ending with James M. Lambert, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on July 14, 2005.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LUGAR:

S. 1913. A bill to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ENSIGN (for himself and Mr. REID):

S. 1914. A bill to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard; to the Committee on Energy and Natural Resources.

By Mr. ENSIGN (for himself, Ms. LANDRIEU, Mr. BYRD, Mr. SPECTER, Mr. LOTT, Mr. LIEBERMAN, Mr. INOUE, Mr. LEVIN, and Mr. DEMINT):

S. 1915. A bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HAGEL:

S. 1916. A bill to strengthen national security and United States borders, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGEL:

S. 1917. A bill to require employers to verify the employment eligibility of their employees, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGEL:

S. 1918. A bill to amend the Immigration and Nationality Act to address the demand for foreign workers; to the Committee on the Judiciary.

By Mr. HAGEL:

S. 1919. A bill to amend the Immigration and Nationality Act in order to reunify families, to provide for earned adjustment of status, and for other purposes; to the Committee on the Judiciary.

By Mr. OBAMA:

S. 1920. A bill to amend the Clean Air Act to establish a renewable diesel standard, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. Res. 286. A resolution commending the Grand Ole Opry on the occasion of its 80th anniversary for its important role in the popularization of country music and for its 8 decades of musical and broadcast excellence; considered and agreed to.

By Mr. LEVIN (for himself, Ms. STABENOW, Mr. FRIST, Mr. REID, Mr. OBAMA, Mr. KENNEDY, Mr. SCHUMER, Mr. VOINOVICH, Mr. MARTINEZ, Mr. BROWNBACK, Mr. ALLEN, Mr. TALENT, Mr. MCCONNELL, Mrs. DOLE, Mr. CHAMBLISS, Mr. THOMAS, Mrs. HUTCHISON, Mrs. CLINTON, Mr. HARKIN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. KERRY, and Mr. DURBIN):

S. Res. 287. A resolution honoring the life of and expressing the condolences of the Senate on the passing of Rosa Parks; considered and agreed to.

By Mr. TALENT:

S. Con. Res. 60. A concurrent resolution designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 119

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey

(Mr. LAUTENBERG) was added as a cosponsor of S. 119, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 484

At the request of Mr. WARNER, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 863

At the request of Mr. CONRAD, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 863, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centenary of the bestowal of the Nobel Peace Prize on President Theodore Roosevelt, and for other purposes.

S. 1035

At the request of Mr. INHOFE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1357

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1357, a bill to protect public health by clarifying the authority of the Secretary of Agriculture to prescribe performance standards for the reduction of pathogens in meat, meat products, poultry, and poultry products processed by establishments receiving inspection services and to enforce the Hazard Analysis and Critical Control Point (HACCP) System requirements, sanitation requirements, and the performance standards.

S. 1504

At the request of Mr. ENSIGN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1504, a bill to establish a market driven telecommunications marketplace, to eliminate government managed competition of existing communication service, and to provide parity between functionally equivalent services.

S. 1719

At the request of Mr. INOUE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1719, a bill to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, and for other purposes.

S. 1863

At the request of Mr. GREGG, the name of the Senator from Minnesota

(Mr. COLEMAN) was added as a cosponsor of S. 1863, a bill to establish the Gulf Coast Recovery and Disaster Preparedness Agency, and for other purposes.

S. 1878

At the request of Mr. AKAKA, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1878, a bill to prohibit predatory payday loans, and for other purposes.

S. CON. RES. 37

At the request of Mr. DEWINE, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Con. Res. 37, a concurrent resolution honoring the life of Sister Dorothy Stang.

S. RES. 273

At the request of Mr. COLEMAN, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. Res. 273, a resolution expressing the sense of the Senate that the United Nations and other international organizations shall not be allowed to exercise control over the Internet.

S. RES. 282

At the request of Mr. BIDEN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the Senate that Congress should raise awareness of domestic violence in the United States and its devastating effects on families.

AMENDMENT NO. 2193

At the request of Mr. THUNE, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. BROWNBACK) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of amendment No. 2193 proposed to H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2194

At the request of Mr. REED, the names of the Senator from Connecticut (Mr. DODD), the Senator from Ohio (Mr. DEWINE), the Senator from West Virginia (Mr. BYRD) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 2194 proposed to H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2196

At the request of Mr. TALENT, his name was added as a cosponsor of amendment No. 2196 proposed to H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year

ending September 30, 2006, and for other purposes.

At the request of Mr. DURBIN, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 2196 proposed to H.R. 3010, supra.

AMENDMENT NO. 2200

At the request of Mr. NELSON of Florida, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 2200 intended to be proposed to H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2204

At the request of Ms. CANTWELL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 2204 intended to be proposed to H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2208

At the request of Mr. BAYH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 2208 intended to be proposed to H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENSIGN (for himself, Ms. LANDRIEU, Mr. BYRD, Mr. SPECTER, Mr. LOTT, Mr. LIEBERMAN, Mr. INOUE, Mr. LEVIN, and Mr. DEMINT):

S. 1915. A bill to amend the Horse Protection Act to prohibit shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ENSIGN. Mr. President, I rise along with my colleagues, Senators LANDRIEU, BYRD, SPECTER, LOTT, LIEBERMAN, INOUE, LEVIN, and DEMINT, in order to introduce the Virgie S. Arden American Horse Slaughter Prevention Act.

As a veterinarian, I am well aware of the love that Americans have for their horses. Much of our Nation's early history and culture is associated with these animals. We think of George Washington's horses and the legend of Paul Revere's ride and the Pony Express. More recently, we were reminded of how the Depression Era race between Seabiscuit and War Admiral

raised the spirit of our Nation during desperate times.

While horses in the United States are not raised for food, last year alone more than 65,000 horses were slaughtered in the United States for human consumption abroad. Tens of thousands more were transported to Canada and Mexico for slaughter there. Work horses, race horses, and even pet horses, many of them young and healthy, are slaughtered for human consumption in Europe and Asia, where the meat is sold as a high-end delicacy. Polls show that Americans overwhelmingly support an end to this practice. This sentiment was reflected in the Senate's recent 69-28 vote to prohibit the use of Federal funds to facilitate horse slaughter. The House of Representatives passed identical legislation by a similarly bipartisan vote in June.

Often, owners who sell their horses at auction are unaware that their horses may well be on their way to one of the three remaining slaughterhouses in America where horses are killed for human consumption. These slaughterhouses are foreign-owned and the product is shipped abroad, as are the profits.

While several States are attempting to address the concerns of citizens regarding the tens of thousands of horses going to slaughter each year, the absence of Federal law creates a loophole through which the slaughter can continue. Some States have prohibited the use of double-deck cattle trailers to move horses to slaughter. Texas, which is home to two of the three slaughter plants, has had a law in place since 1949 to effectively prohibit horse slaughter for human consumption. Yet the district attorneys with jurisdiction over the plants have been unable to prosecute these foreign companies, and horses continue to be slaughtered. To end this situation, we must have a Federal law that prohibits sending horses within States, across State lines, or over our domestic borders for the purpose of slaughtering them for human consumption. We can effectively achieve this goal by passing the Virgie S. Arden American Horse Slaughter Prevention Act.

Congress has the constitutional authority to regulate the horse slaughter trade—including intrastate shipment—because such trade has a substantial impact on interstate and international commerce. Horses are regularly moved across State lines to be slaughtered in the three remaining horse slaughter plants—one in Illinois—and the other two in Texas. Others are exported across the U.S. border to Canada and Mexico for slaughter there. Even the meat of slaughtered horses is eventually moved across State lines or our domestic borders for sale outside of the United States. Our bill will end this practice.

I know that some people have expressed concerns about what will happen to horses if their slaughter is

ended. Many of these horses will be sold to a new owner, kept longer by their original owner, or euthanized by a licensed veterinarian. Others will be cared for by the horse rescue community, and efforts are now underway to standardize practices in this ever-growing sector. Guidelines for these rescue organizations have been developed by the animal protection community and embraced by sanctuaries across the country.

Some people have questioned whether this law will result in the abuse and neglect of unwanted horses. Thankfully, statistics do not support this claim at all. Recently released figures show that the number of abuse cases dropped significantly in Illinois from 2002 to 2004, the period in which the State's only horse slaughtering facility was closed due to fire. Also, since California passed a law banning the slaughter of horses for human consumption, there has been no discernible increase in cruelty and neglect cases in the state.

Furthermore, it is currently illegal to "turn out," neglect, or starve a horse, so this bill will not result in an increased number of orphaned horses in the United States. If a person attempts to turn his or her horses out, under current law, animal control agents will be able to enforce humane laws. As I stated before, this bill seeks only to end the slaughter of horses for human consumption. If a person wishes to put an animal down, it costs about \$225 to have the horse euthanized by a licensed veterinarian and disposed of—a fraction of what it costs to keep a horse as a companion or a work animal. That cost is not too big a burden to bear when no other options are available.

The time for a strong federal law ending this slaughter is now. This bill does not target other forms of slaughter, rendering, or euthanasia, rather it focuses solely on the slaughter of American horses for human consumption. The House version of this bill, H.R. 5031, currently has more than 120 cosponsors. Please join Senator LANDRIEU and me in cosponsoring the Virgie S. Arden American Horse Slaughter Prevention Act.

Mr. President, I yield the floor.

By Mr. HAGEL:

S. 1916. A bill to strengthen national security and United States borders, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGEL:

S. 1917. A bill to require employers to verify the employment eligibility of their employees, and for other purposes; to the Committee on the Judiciary.

By Mr. HAGEL:

S. 1918. A bill to amend the Immigration and Nationality Act to address the demand for foreign workers; to the Committee on the Judiciary.

By Mr. HAGEL:

S. 1919. A bill to amend the Immigration and Nationality Act in order to reunify families, to provide for earned adjustment of status, and for other purposes; to the Committee on the Judiciary.

Mr. HAGEL. Mr. President, I rise today to introduce my comprehensive immigration reform legislation. This legislative package consists of four bills that deal with national security, employment security, America's workforce, and bringing accountability to those living here illegally. This package is an enhanced version of immigration reform legislation I introduced in 2004 with former Senate Minority Leader Tom Daschle.

Immigration reform is an urgent national security priority. We cannot continue to defer making tough choices about our nation's immigration policy. It is not in our interest to have 8 to 12 million people undocumented and unaccounted for in our country. The American people won't accept immigration reform until they are convinced we are controlling our borders. Congress must reform the patchwork of immigration laws that have created an underground, black market labor force.

The first bill is the Strengthening America's Security Act of 2005. The bill strengthens national security and U.S. borders by assisting law enforcement in their efforts to secure our borders. It will increase the number of Customs and Border Protection officers; require DHS to use updated technology at the border; increase criminal penalties for alien smuggling, document fraud, misuse of social security numbers, gang violence, and drug trafficking at the border; authorize continued funds to reimburse states for the costs of detaining undocumented aliens; and give DHS additional tools to detain and deport undocumented aliens.

The second bill, the Employment Verification Act of 2005, requires employers to verify the employment eligibility of their employees. The bill will assist all employers in their effort to hire legal workers by establishing a mandatory electronic worker verification system. The system would be managed by DHS in conjunction with the Social Security Administration. The system will allow employers to immediately verify whether an individual is authorized to work in the U.S. This system is already being used by the federal government and by certain employers across the country, including some in Nebraska. The system will be phased-in over a 5 year period, starting with large employers. The legislation includes protections to ensure that the system will not result in hiring discrimination based on race or national origin, nor will it interfere with the regular hiring process. Employers who use the system will receive a "safe-harbor" from prosecution for hiring unauthorized workers.

The Strengthening America's Workforce Act of 2005 will amend the Immigration and Nationality Act to address

the demand for foreign workers. The bill will provide foreign workers for low-skilled jobs that would otherwise go unfilled by admitting a limited number of workers annually through a new temporary worker program. Employers seeking to hire foreign workers through this program must first demonstrate that no qualified U.S. worker exists and that they will provide the same wage levels and working conditions as U.S. workers. Workers will be admitted for a limited period of time and will be allowed to change employers. Visas are good for 2 years and can be renewed. Qualified workers and their families would be provided an opportunity to adjust their immigration status over time.

In order to address the need for high-tech workers and to reduce the existing worker visa backlog, this legislation would allow foreign students who have earned an advanced degree in science, technology, engineering or math from U.S. universities to receive a H-1B work visa without leaving the country and without regard to the annual cap of 65,000. In addition, high-tech workers who have worked in the U.S. for three years may be allowed to adjust to permanent resident status without regard to the annual cap of 140,000. The spouses and children of immigrant workers would also be allowed to adjust status without regard to this cap.

In order to encourage more foreign students to study in the U.S., this legislation would give full-time foreign college and graduate students the opportunity to work part-time while studying at U.S. universities.

The fourth bill, the Immigrant Accountability Act of 2005, will amend the Immigration and Nationality Act in order to encourage those in the U.S. illegally to apply for legal status. The legislation would create an earned adjustment program for long-term undocumented immigrants and provide an opportunity for illegal aliens and their families to become invested stakeholders in the country if they can demonstrate that they have met all of the following requirements:

Passed national security and criminal background checks;

Resided in the U.S. for at least 5 years preceding the date of introduction;

Worked a minimum of 3 years in the U.S. preceding the date of introduction, and 6 years after introduction;

Paid all Federal and State taxes;

Registered for Military Selective Service;

Demonstrated knowledge of English language and American civics requirements;

Paid a \$2,000 fine, in addition to required application fees. Fines assessed from this program could total as much as \$12 billion.

The legislation would create a program for short-term undocumented immigrants who cannot meet the work or residence requirements. They will register with DHS and will be allowed to

apply for a visa. However, these undocumented immigrants must return to their home country to obtain the visa and be readmitted through the legal process. These undocumented immigrants will have three years to complete the application process and will be authorized to work during that time.

There is a backlog reduction provision in the bill that would exempt certain individuals, living outside the U.S., from existing caps on family-based immigrant visas. This section was originally included in the 2004 Hagel/Daschle Immigration Reform bill.

The new fines and fees created by this legislation will fund the new and expanded programs created in it. Fines assessed by this legislation could total as much as \$12 billion. A majority of the funds will come from the \$2000 fine illegal aliens would pay under the Earned Adjustment Program.

This legislation is the product of years of discussions with law enforcement, business, labor, and advocacy communities. The bills are a serious effort to meet the President's principles for reform with commonsense legislation. In March, I visited the Mariposa Nogales Port of Entry in Arizona at the U.S.-Mexico border and saw first-hand border patrol operations with U.S. Customs and Border Protection agents.

I understand that immigration reform is a complex and difficult issue. In addition to the legislation I have introduced today, there are other proposals on the table. The American people won't accept any more excuses. Now is the time for us to stop deferring tough decisions and take action on this urgent national priority.

Mr. OBAMA:

S. 1920. A bill to amend the Clean Air Act to establish a renewable diesel standard, and for other purposes; to the Committee on Environment and Public Works.

Mr. OBAMA. Mr. President, the House of Representatives has passed, and the Senate Environment and Public Works Committee is considering, legislation to increase petroleum refinery capacity in the United States. The argument is that the shortage of domestic refining capacity is contributing to the rising price of gasoline which, in turn, is squeezing families' pocketbooks and complicating our Nation's economic future. The theory is that relaxing environmental regulations will unlock long dormant investment in new domestic refining capacity.

It is incumbent upon industry and the congressional supporters of this bill to document that environmental regulation has in fact blocked such investment. Testimony has been provided on both sides of that proposition.

What seems to me to be less debatable is that any legislative effort to address deficient refining capacity should include the encouragement of domestic

nonpetroleum refinery infrastructure. If we are serious about reducing our country's dependence on imported petroleum and insulating our economy from future supply disruption shocks—whether from the volatile Middle East or natural disasters such as Katrina—encouraging the construction of more alternative fuel refineries should be part of that strategy. After all, even if we have more petroleum refineries, we won't have any more crude oil to process through them, unless we import more. That is not what I would define as “progress.”

This past summer, Congress passed the Energy Policy Act. As my colleagues know, that law includes a bold, bipartisan initiative to help wean our Nation from its petroleum dependency: the Renewable Fuels Standard, RFS.

The RFS establishes that the national gasoline supply will consist of at least 7.5 billion gallons of homegrown ethanol by the year 2012. The RFS also commits the country to the greater use of biodiesel in our fuel supply.

As Congress looks to expand domestic gasoline supply, a far stronger signal should be sent that the U.S. Government is serious about growing our 40 billion gallons-a-year domestic diesel industry. That's why today I am introducing legislation to create a Renewable Diesel Standard, with the goal of 2 billion gallons annually of alternative and renewable diesels by 2015.

Petrodiesel is used in a wide variety of transportation modes: transit buses; semi trucks; ships; heavy duty construction, farming and mining equipment; military vehicles; locomotives; barges; large scale generators; farm and mining equipment; and in many people's individual cars and trucks. While not as large of a market as gasoline, petrodiesel is enormously significant.

A Renewable Diesel Standard would focus alternative fuel production strongly on the world of diesel engine vehicles. And engines that use petrodiesel can also use other types of diesel fuels, like biodiesel, or Fischer Tropsch diesel, with little or no engine modification.

This interchangeability helps in time of diesel shortages. It helps keep diesel prices competitive. And, as diesel is made from domestic feedstocks, it reduces our reliance on foreign crude oil. That is good for national security—especially when diesel is the fuel for workhorse vehicles like buses, bulldozers, or military equipment that are so important in times of emergency.

In recent months, Illinois farmers have raised concerns with me regarding the high cost of diesel fuel. Imagine how biodiesel and diesel alternatives could help mitigate fuel costs for farmers who now mostly rely on diesel fuel made from foreign oil. Imagine how biodiesels or coal diesels could help truckers and other small business owners, whose profit margins are so seriously affected by unforeseen price spikes in petrodiesel for semi trucks.

For my colleagues who have staked out opposing positions in the CAFE debate, a Renewable Diesel Standard would, like the RFS, lay the groundwork for increasing "miles per gallon" per vehicle in terms of petroleum usage. And wasn't that the underlying intent of CAFE in the first place when it was enacted in 1975—to reduce our use of petroleum, especially imported oil and petroleum products?

This bill does not propose that 10 percent of the national petrodiesel pool be strengthened with diesel alternatives. It proposes only 1 percent of the national supply.

That is hardly painful for the petroleum industry. This initiative would not in any way dent the oil industry's record-shattering profits. It is, however, a bold initiative for those entrepreneurs who know that new diesels work and are willing to prove it by investing on a commercial scale. They know we can make diesel from soybeans, from sunflower seeds, from coal, and even from garbage. Let's give them stronger assurance that the United States intends to capitalize on their vision, ingenuity, and expertise in the cause of energy independence.

Right now, there is an estimated 180 million gallons of biodiesel production capacity in the United States. Fifty-four companies have reported their plans to construct dedicated biodiesel plants in the near future, but those plans are dependent upon regional and national demand prospects.

Current domestic petroleum demand is estimated to be high enough in the coming years that the United States would need to construct a 400,000 barrel per day petroleum refinery each year to meet market projections. Yet no new petroleum refineries have been built in the United States in a quarter century. During the same period, however, more than 120 refineries have been built for ethanol and biodiesel, with more in the works. And the good news is: unlike petroleum refineries, our ethanol and biodiesel refineries do not require imported oil as raw material to make the finished product.

Mr. President, hundreds of millions of gallons of diesel are possible within the timeline proposed in my legislation, making another small but bold step to create jobs in rural America, strengthen our economic security, and improve air quality. A Renewable Diesel Standard is the right course for the Nation's future. I hope my colleagues will join me in cosponsoring this legislation, and I ask their support for swift enactment.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 286—COM-MENDING THE GRAND OLE OPRY ON THE OCCASION OF ITS 80TH ANNIVERSARY FOR ITS IMPOR-TANT ROLE IN THE POPU-LARIZATION OF COUNTRY MUSIC AND FOR ITS 8 DECADES OF MU-SICAL AND BROADCAST EXCEL-LENCE

Mr. FRIST (for himself and Mr. AL-EXANDER) submitted the following reso-lution; which was considered and agreed to:

S. RES. 286

Whereas the Grand Ole Opry is a pioneer of commercial radio in the United States, and is the longest running continuous radio program in the United States, having operated since November 28, 1925, and having broad-casted over 4,000 consecutive Saturday evening shows on WSM Radio, Nashville, Tennessee;

Whereas the Grand Ole Opry played an in-tegral role in the commercial development of the country music industry, and in estab-lishing Nashville, Tennessee, as "Music City USA";

Whereas the Grand Ole Opry has consis-tently promoted the best in live entertain-ment and provided a distinctive forum for connecting country music fans to musicians so as to promote the popularity of this uniquely American genre;

Whereas the Grand Ole Opry serves as a unique American icon that enshrines the rich musical history of country music, and preserves the tradition and character of the genre through commemorative performances and events;

Whereas the Grand Ole Opry is committed to quality performances, and the mem-bership of the Grand Ole Opry represents the elite of country music performers, including generations of America's most talented mu-sicians, encompassing the music legends of old and the superstars of today that continue to define American country music;

Whereas performers at the Grand Ole Opry have included such universally recognized names as Roy Acuff, Chet Atkins, Garth Brooks, Johnny Cash, Patsy Cline, Vince Gill, Alan Jackson, Grandpa Jones, Loretta Lynn, Uncle Dave Macon, Dolly Parton, Min-nie Pearl, Jim Reeves, Ernest Tubb, Hank Williams, Trisha Yearwood, and many more;

Whereas the Grand Ole Opry celebrates the diversity of country music, with membership spanning both generation and genre, rep-resenting the best in folk, country, blue-grass, gospel, and comedy performances;

Whereas the Grand Ole Opry continues to utilize technological innovations to develop new avenues of connecting country music to its fans, and can be seen and heard around the world via television, radio, satellite radio, and the Internet;

Whereas the Grand Ole Opry provides heartening support to members of the Armed Forces by participating in the Department of Defense's America Supports You Program, providing live performances to American Forces serving abroad via the American Forces Radio and Television Services net-work;

Whereas the Grand Ole Opry is recognized as the world's premiere country music show, and continues to entertain millions of fans throughout the world, including United States Presidents and foreign dignitaries, and serves as an emissary of American music and culture; and

Whereas the Grand Ole Opry will continue to impact American culture and music, and play an important role in presenting the best in country music to new generations of fans throughout the world, touching millions with music and comedy: Now, therefore, be it

Resolved, That the Senate commends the Grand Ole Opry on the occasion of its 80th anniversary for its important role in the popularization of country music, and for its 8 decades of musical and broadcast excel-lence.

SENATE RESOLUTION 287—HON-ORING THE LIFE OF AND EX-PRESSING THE CONDOLENCES OF THE SENATE ON THE PASSING OF ROSA PARKS

Mr. LEVIN (for himself, Ms. STABENOW, Mr. FRIST, Mr. REID, Mr. OBAMA, Mr. KENNEDY, Mr. SCHUMER, Mr. VOINOVICH, Mr. MARTINEZ, Mr. BROWNBACK, Mr. ALLEN, Mr. TALENT, Mr. MCCONNELL, Mrs. DOLE, Mr. CHAMBLISS, Mr. THOMAS, Mrs. HUTCHISON, Mrs. CLINTON, Mr. HARKIN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. KERRY, and Mr. DURBIN) submitted the following resolution; which was consid-ered and agreed to:

S. RES. 287

Whereas Rosa Parks was born on February 4, 1913, as Rosa Louise McCauley, to James and Leona McCauley in Tuskegee, Alabama;

Whereas her moral clarity and quiet digni-ty shaped and inspired the Civil Rights Movement in the United States over the last half-century;

Whereas Rosa Parks was educated in Pine Level, Alabama, until the age of 11, when she enrolled in the Montgomery Industrial School for Girls and then went on to attend the Alabama State Teachers College High School;

Whereas on December 18, 1932, Rosa McCauley married Raymond Parks and set-tled in Montgomery, Alabama;

Whereas, together, Raymond and Rosa Parks worked in the Montgomery, Alabama branch of the National Association for the Advancement of Colored People (NAACP), where Raymond Parks served as an active member and Rosa Parks served as a sec-retary and youth leader;

Whereas on December 1, 1955, Rosa Parks was arrested for refusing to give up her seat in the "colored" section of the bus to a white man on the orders of the bus driver because the "white" section was full;

Whereas the arrest of Rosa Parks led Afri-can Americans and others to boycott the Montgomery city bus line until the buses in Montgomery were desegregated;

Whereas the 381-day Montgomery bus boy-cott encouraged other courageous people across the United States to organize in pro-test and demand equal rights for all;

Whereas most historians date the begin-ning of the modern-day Civil Rights Move-ment in the United States to December 1, 1955;

Whereas the fearless acts of civil disobe-dience displayed by Rosa Parks and others resulted in a legal action challenging Mont-gomery's segregated public transportation system, which subsequently led to the United States Supreme Court, on November 13, 1956, affirming a district court decision that held that Montgomery segregation codes deny and deprive African Americans of the equal protection of the laws (352 U.S. 903);

Whereas in 1957, Rosa Parks moved to De-troit, Michigan;

Whereas in 1965, Representative John Conyers hired Rosa Parks as a member of his staff, where she worked in various administrative jobs for 23 years and retired in 1988 at age 75;

Whereas Rosa Parks continued her civil rights work by starting the Rosa and Raymond Parks Institute for Self Development in 1987, a nonprofit organization that motivates young people to reach their highest potential;

Whereas the Rosa and Raymond Parks Institute for Self Development offers educational programs for young people, including two signature programs: first, Pathways to Freedom, a 21-day program that introduces students to the Underground Railroad and the civil rights movement with a freedom ride across the United States and Canada, tracing the underground railroad into civil rights, and second, Learning Centers and Senior Citizens, a program that partners young people with senior citizens where the young help the senior citizens develop their computer skills and senior citizens mentor the young;

Whereas Rosa Parks has been commended for her work in the realm of civil rights with such recognitions as the NAACP's Spingarn Medal, the Martin Luther King, Jr., Non-violent Peace Prize, the Presidential medal of Freedom, and the Congressional Gold Medal;

Whereas Time magazine named Rosa Parks one of the "100 most influential people of the 20th century", The Henry Ford Museum in Michigan bought and exhibited the bus on which she was arrested, and The Rosa Parks Library and Museum opened in Montgomery in 2000;

Whereas in 2005, the year marking the 50th anniversary of Rosa Parks' refusal to give up her seat on the bus, we recognize the courage, dignity, and determination displayed by Rosa Parks as she confronted injustice and inequality; and

Whereas in 1988 Rosa Parks said: "I am leaving this legacy to all of you . . . to bring peace, justice, equality, love and a fulfillment of what our lives should be. Without vision, the people will perish, and without courage and inspiration, dreams will die—the dream of freedom and peace": Now, therefore, be it

Resolved, That the Senate honors the life and accomplishments of Rosa Parks and expresses its condolences on her passing.

SENATE CONCURRENT RESOLUTION 60—DESIGNATING THE NEGRO LEAGUES BASEBALL MUSEUM IN KANSAS CITY, MISSOURI, AS AMERICA'S NATIONAL NEGRO LEAGUES BASEBALL MUSEUM

Mr. TALENT submitted the following concurrent resolution, which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 60

Whereas the Negro Leagues Baseball Museum in Kansas City, Missouri, was founded in 1990, in honor of those individuals who played in the Negro Baseball Leagues as a result of segregation in America;

Whereas the Negro Leagues Baseball Museum is the only public museum in the Nation that exists for the exclusive purpose of interpreting the experiences of the players in the Negro Leagues from 1920 through 1970;

Whereas the Negro Leagues Baseball Museum project began in the 1980s, through a large scale, grass roots, civic and fundraising effort by citizens and baseball fans in the Kansas City metropolitan area;

Whereas the first Negro Leagues Baseball Museum was located at 1615 East 18th Street in the historic "18th and Vine District", which was designated by the city of Kansas City, Missouri, in 1988, as historic in nature and the birthplace of the Negro Leagues;

Whereas the current Negro Leagues Baseball Museum was opened at 1616 East 18th Street in 1997, with a dramatic expansion of core exhibition and gallery space and over 10,000 square feet of new interpretive and educational exhibits;

Whereas the Negro Leagues Baseball Museum continues to receive strong support from the residents of the Kansas City metropolitan area and annually entertains over 60,000 visitors from all 50 States, and numerous foreign countries;

Whereas there remains a need to preserve the evidence of honor, courage, sacrifice, and triumph in the face of segregation of those African Americans who played in the Negro Leagues;

Whereas the Negro Leagues Baseball Museum seeks to educate a diverse audience through its comprehensive collection of historical materials, important artifacts, and oral histories of the participants in the Negro Leagues and the impact that segregation played in the lives of these individuals and their fans; and

Whereas a great opportunity exists to use the invaluable resources of the Negro Leagues Baseball Museum to teach the Nation's school children, through on-site visits, traveling exhibits, classroom curriculum, distance learning, and other educational initiatives: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) designates the Negro Leagues Baseball Museum in Kansas City, Missouri, including the museums future and expanded exhibits, collections library, archives, artifacts and education programs as "America's National Negro Leagues Baseball Museum";

(2) supports the Negro Leagues Baseball Museum in their efforts to recognize and preserve the history of the Negro Leagues and the impact of segregation on our Nation;

(3) recognizes that the continued collection, preservation, and interpretation of the historical objects and other historical materials held by the Negro Leagues Baseball Museum enhances our knowledge and understanding of the experience of African Americans during legal segregation;

(4) commends the ongoing development and visibility of the "Power Alley" educational outreach program for teachers and students throughout the Nation sponsored by the Negro Leagues Baseball Museum;

(5) asks all Americans to join in celebrating the Negro Leagues Baseball Museum and its mission of preserving and interpreting the legacy of the Negro Leagues; and

(6) encourages present and future generations to understand the sensitive issues surrounding the Negro Leagues, how they helped shape our Nation and Major League Baseball, and how the sacrifices made by Negro League players helped make baseball America's national pastime.

AMENDMENTS SUBMITTED & PROPOSED

SA 2211. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 2212. Mr. OBAMA (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, Mr. DODD, and

Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2213. Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. SCHUMER, Mr. LIEBERMAN, Ms. MIKULSKI, Mr. KERRY, Mr. REID, Mr. LAUTENBERG, Mr. DAYTON, Ms. CANTWELL, Mr. KOHL, Mr. BINGAMAN, Mr. DURBIN, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. DODD, Mrs. FEINSTEIN, Mr. REED, and Mr. CORZINE) proposed an amendment to the bill H.R. 3010, supra.

SA 2214. Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra.

SA 2215. Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra.

SA 2216. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2217. Mr. NELSON, of Florida (for himself, Mr. FEINGOLD, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2218. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2219. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2220. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2221. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 2222. Mr. INOUE (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

SA 2223. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra.

SA 2224. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra.

SA 2225. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra.

SA 2226. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra.

SA 2227. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2228. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2229. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2230. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2231. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2232. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2233. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2234. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2235. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2236. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2237. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2238. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2239. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2240. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2241. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2242. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2243. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2244. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2245. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2246. Mr. KENNEDY (for himself, Mr. HARKIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2247. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2248. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2249. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2250. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2251. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2252. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2253. Mr. GREGG (for himself and Mr. GRASSLEY) proposed an amendment to the bill H.R. 3010, supra.

SA 2254. Mr. DODD (for himself, Mr. KENNEDY, Mrs. CLINTON, Mrs. MURRAY, Mr. KERRY, Mr. LAUTENBERG, Mr. CORZINE, Mr. DURBIN, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2255. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2256. Mr. OBAMA (for himself, Mr. BYRD, Mr. BAYH, Ms. MIKULSKI, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2257. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2258. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2259. Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2260. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2261. Mr. COLEMAN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2262. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2263. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2264. Mr. COLEMAN (for himself and Mr. BAYH) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2265. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2266. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2267. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2211. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____.(a) Notwithstanding any other provision of law, \$125,000,000 shall be available and shall remain available until ex-

ended to replace the funds appropriated but not expended under chapter 8 of division B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (Public Law 107-117), and of such amount, \$50,000,000 shall be made available for payment to the New York State Uninsured Employers Fund for reimbursement of claims related to the terrorist attacks of September 11, 2001 and for reimbursement of claims related to the first response emergency services personnel who were injured, were disabled, or died due to such terrorist attacks, and \$75,000,000 shall be made available to the Centers for Disease Control and Prevention upon enactment of this Act, and shall remain available until expended, for purposes related to the September 11, 2001 terrorist attacks. In expending such funds, the Director of the Centers for Disease Control and Prevention shall give first priority to the existing programs coordinated by the Mount Sinai Center for Occupational and Environmental Medicine, the Fire Department of New York City Bureau of Health Services and Counseling Services Unit, the New York City Police Foundation's Project COPE, Police Organization Providing Peer Assistance, and the New York City Department of Health and Mental Hygiene World Trade Center Health Registry that administer baseline and follow-up screening, clinical examinations, or long-term medical health monitoring, analysis, or treatment for emergency services personnel or rescue and recovery personnel, and shall give secondary priority to similar programs coordinated by other entities working with the State of New York and New York City.

(b) The amounts provided under subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 2212. Mr. OBAMA (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, Mr. DODD, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. ____. **THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM AND POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.**

(a) **INCREASES.**—In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$3,500,000 for subpart 3 of part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1136 et seq.), and an additional \$1,000,000 to the Office of Special Education Programs of the Department of Education for the expansion of positive behavioral interventions and supports.

(b) **OFFSET FROM CONSULTING SERVICES.**—Notwithstanding any other provision of this Act, amounts made available for the Department of Health and Human Services for consulting services under this Act shall be reduced by \$4,500,000.

(c) **REPORT ON THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**—Not later than September 30, 2006, the Secretary of Education shall prepare and submit to Congress a report on the evaluation data regarding the educational and professional performance of individuals who have participated, during fiscal year 2006 or any preceding year, in the program under subpart 3

of part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1136 et seq.).

SA 2213. Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. SCHUMER, Mr. LIEBERMAN, Ms. MIKULSKI, Mr. KERRY, Mr. REID, Mr. LAUTENBERG, Mr. DAYTON, Ms. CANTWELL, Mr. KOHL, Mr. BINGAMAN, Mr. DURBIN, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. DODD, Mrs. FEINSTEIN, Mr. REED, and Mr. CORZINE) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), insert the following:

SEC. _____. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$836,000,000 for carrying out subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070). Such additional appropriation shall be used to increase the maximum Pell Grant for which a student shall be eligible during award year 2006-2007 by \$200 to \$4,250, notwithstanding the maximum Pell Grant amount provided under the heading "STUDENT FINANCIAL ASSISTANCE" under this title.

SA 2214. Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

After section 221, insert the following:

SEC. 222. For carrying out the Low-Vision Rehabilitation Services Demonstration Project by the Secretary of Health and Human Services, an additional \$5,000,000: *Provided*, That funds made available for general department management under the heading General Department Management under the heading Office of the Secretary are reduced by \$5,000,000.

SA 2215. Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. Amounts appropriated in this title for community health center programs under section 330 of the Public Health Service Act (42 U.S.C. 254b) shall be increased by \$198,560,000. Notwithstanding any other provision of this Act, amounts appropriated under this Act shall be reduced on a pro rata basis by \$198,560,000.

SA 2216. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II (before the short title), add the following:

SEC. _____. None of the funds made available in this Act may be used to implement any strategic plan under section 3 of Executive Order 13335 (regarding interoperable health information technology) that lacks a provision that requires the Department of Health and Human Services to give notice to any patient whose information maintained by the Department under the strategic plan is lost, stolen, or used for a purpose other than the purpose for which the information was collected.

SA 2217. Mr. NELSON of Florida (for himself, Mr. FEINGOLD, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

After section 221, insert the following:

SEC. 222. (a) The Comptroller General of the United States shall conduct a study to—

(1) examine—

(A) the cost savings that have occurred in States that currently have programs in place for the recycling or reusing of medications that have been dispensed to, but not used by, an inpatient of a long-term care facility; and

(B) the potential for the expansion of such programs to other States;

(2) identify measures that could be put in place to maximize cost savings under the programs described in paragraph (1);

(3) identify—

(A) the potential safety concerns raised by such programs; and

(B) the rate of medication error and adverse events under such programs; and

(4) identify—

(A) safety procedures currently used under such programs;

(B) additional safety procedures that could be put in place to eliminate the safety concerns identified under paragraph (3); and

(C) the infrastructure or resources necessary to implement such additional safety procedures.

(b) Not later than the date that is 12 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), together with such recommendations for legislative or administrative action as the Comptroller General determines to be appropriate.

SA 2218. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. _____. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$18,500,000 to carry out part G of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6531 et seq.).

SA 2219. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making ap-

propriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. _____. (a) In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$4,900,000 to carry out part H of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6551 et seq.).

(b) Notwithstanding any other provision of this Act, the amounts made available for administrative expenses and salaries for the Department of Education under this Act shall be reduced by \$4,900,000.

SA 2220. Mrs. MURRAY submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 153, between lines 17 and 18, insert the following:

In addition, for making payments to States for the provision of coverage for prescription drugs under State Medicaid plans (notwithstanding section 1935(d)(1) of the Social Security Act) or under separate drug assistance programs to individuals who have attained age 65 or are disabled, and whose income does not exceed 150 percent of the national poverty level or who are eligible for medical assistance under the State Medicaid plan under a "medically needy" or other "spend down" eligibility category, including such individuals who are eligible for benefits under titles XVIII and XIX of the Social Security Act, receiving assistance under a State drug assistance program, or receiving coverage under an AIDS Drug Assistance Program, to ensure that such individuals do not lose coverage for prescription drugs or suffer a gap in such coverage due to the implementation of the Medicare prescription drug benefit under part D of title XVIII of such Act, and for making payments to providers of items and services under the State Medicaid plan, including pharmacists, community health centers, rural health clinics, hospitals, critical access hospitals, and physicians, for reimbursement of uncompensated costs associated with the provision of medically necessary drugs for such individuals, \$2,000,000,000: *Provided*, That a State shall not receive such payments unless the State notifies the Centers for Medicare and Medicaid Services, not later than December 31, 2005, of the State's plan for the provision of such coverage: *Provided further*, That a State shall not receive such payments unless the State notifies such individuals and providers of the availability of such coverage: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SA 2221. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy,

to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII of division B, add the following:

SEC. 2887. TRANSFER TO REDEVELOPMENT AUTHORITIES WITHOUT CONSIDERATION OF PROPERTY LOCATED AT MILITARY INSTALLATIONS CLOSED OR REALIGNED UNDER 2005 ROUND OF DEFENSE BASE CLOSURE AND REALIGNMENT.

(a) OPTION ON TRANSFER OF REAL PROPERTY AND FACILITIES.—Paragraph (2)(C) of section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) by inserting “(i)” after “(C)”; and
(2) by adding at the end the following new clause:

“(ii) In the case of any real property or facilities located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property or facilities that would otherwise be transferred to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or would otherwise be transferred to another Federal agency—

“(I) the Secretary shall, unless the Secretary determines that a transfer of such property or facilities to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or to the Department of Homeland Security, is necessary in the national security interest of the United States, instead offer to transfer such property or facilities to the redevelopment authority with respect to such installation; and

“(II) if the redevelopment authority accepts the offer, transfer such property or facilities to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).”.

(b) OPTION ON TRANSFER OF PERSONAL PROPERTY.—Paragraph (3) of such section is amended—

(1) in subparagraph (C)(i), by striking “subparagraphs (E) and (F)” and inserting “subparagraphs (F) and (G)”; and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) In the case of any personal property located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property that is determined pursuant to the inventory under subparagraph (A)(i) to be excess property that would otherwise be transferred to another Federal agency under subchapter II of chapter 5 of title 40, United States Code, pursuant to the authority in paragraph (1)(A)—

“(i) the Secretary shall, unless the Secretary determines that a transfer of such property to a military department or other entity within the Department of Defense or the Coast Guard, or to the Department of Homeland Security, is necessary in the national security interest of the United States, instead offer to transfer such property to the redevelopment authority with respect to such installation; and

“(ii) if the redevelopment authority accepts the offer, transfer such property to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).”.

(c) ECONOMIC REDEVELOPMENT.—Paragraph (4)(A) of such section is amended by striking “purposes of job generation” and inserting

“purposes of economic redevelopment or job generation”.

(d) CONFORMING CHANGE.—Paragraph (4)(B) of such section is amended—

(1) by striking “shall seek” and all that follows through “with respect to the installation” and inserting the following: “may not obtain consideration in connection with any transfer under this paragraph of property located at the installation. The redevelopment authority to which such property is transferred shall”; and

(2) in clause (i), by striking “agrees” and inserting “agree”; and

(3) in clause (ii)—

(A) by striking “executes” and inserting “execute”; and

(B) by striking “accepts” and inserting “accept”.

SA 2222. Mr. INOUE (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. (a) The Headquarters and Emergency Operations Center Building (Building 21) at the Centers for Disease Control and Prevention is hereby renamed as the Arlen Specter Headquarters and Emergency Operations Center.

(b) The Global Communications Center Building (Building 19) at the Centers for Disease Control and Prevention is hereby renamed as the Thomas R. Harkin Global Communications Center.

SA 2223. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), insert the following:

SEC. _____. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$15,000,000 to carry out subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7111 et seq.).

SA 2224. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), add the following:

SEC. _____. The Secretary of Education shall conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.) based on, among other things, evidence of deterrent effect, strong research design, sustained effects, and multiple site replication. The study shall also include information on what regular assessment mechanisms exist to allow the Department of Education to evaluate the efficacy of such programs on an ongoing basis. Not later than 18 months after the date of enactment of this

Act, the Secretary of Education shall submit a report to Congress describing the findings of the study.

SA 2225. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 196, strike line 14 and insert the following:

tional poverty level: *Provided further*, That the Corporation shall use a portion of the funds made available under this heading to conduct an evaluation, after consultation with experts on national service programs and rural community leaders, of programs carried out under the national service laws (consisting of that Act and the National and Community Service Act of 1990) in rural areas, to determine utilization of the programs and to develop new and innovative strategies that would prioritize geographic diversity of the programs carried out under the national service laws to increase the presence of the programs in rural areas.

SA 2226. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), insert the following:

SEC. _____. APPLICATIONS FOR IMPACT AID PAYMENT.

Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2) and (3)), the Secretary of Education shall treat as timely filed, and shall process for payment, an application under section 8002 or section 8003 of such Act (20 U.S.C. 7702, 7703) for fiscal year 2005 from a local educational agency—

(1) that, for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for the fiscal year;

(2) for which a reduction of more than \$1,000,000 was made under section 8005(d)(2) of such Act by the Secretary of Education as a result of the agency's failure to file a timely application under section 8002 or 8003 of such Act for fiscal year 2005; and

(3) that submits an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.

SA 2227. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 22, before the period, insert the following: “: *Provided further*, the Centers for Disease Control and Prevention shall use not more than \$10,000,000 of funds provided under this heading to offer to enter into a contract with 1 or more eligible organizations to establish a Global Network for Avian Influenza Surveillance”.

SA 2228. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate scientific information that is deliberately false or misleading.

SA 2229. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced by 5 percent.

(b) Any reduction made under this section shall be applied proportionately to each discretionary account and each item of budget authority covered by this Act, and within each account and item, to each program, project, and activity.

(c) Notwithstanding subsection (a), the President, in consultation with the Chairman and Ranking Member of the applicable authorizing committees of the Congress, may except certain programs, projects, and accounts, in whole or in part, from a reduction required by subsection (a), provided that such exceptions do not, in the aggregate, exceed an amount equal to 1 percent of the overall reduction.

SA 2230. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

SEC. 517. LIMITATION ON FUNDING FOR CONFERENCES.

(a) DEPARTMENT OF LABOR.—Of the funds made available for the Department of Labor under the heading “Departmental Management, Salaries and Expenses” in title I, not to exceed \$2,000,000 shall be available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

(b) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—Of the funds made available for the Department of Health and Human Services under the heading “Office of the Secretary, General Departmental Management” in title II, not to exceed \$25,000,000 shall be

available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

(c) DEPARTMENT OF EDUCATION.—Of the funds made available for the Department of Education under the heading “Departmental Management, Program Administration” in title III, not to exceed \$2,000,000 shall be available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

SA 2231. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 3010 shall also be included in the conference report or joint statement accompanying H.R. 3010 in order to be considered as having been approved by both Houses of Congress.

SA 2232. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 139, line 16, insert after the colon the following: “*Provided further*, That in addition to amounts otherwise made available for State AIDS Drug Assistance Programs authorized by such section 2616, the Secretary shall transfer \$60,000,000 from the amount appropriated under this Act for the construction and renovation of the facilities of the Centers for Disease Control and Prevention to carry out such Drug Assistance Programs.”.

SA 2233. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, none of the funds appropriated in this Act may be used for any activities associated with HIV Vaccine Awareness Day.

SA 2234. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

SEC. 517. None of the funds provided under this Act may be used by the Department of

Health and Human Services or the Department of Education for programs and activities not in compliance with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note, Public Law 107-300), including programs and activities under the Temporary Assistance for Needy Families Program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Foster Care and Adoption Assistance Program under part E of title IV of such Act (42 U.S.C. 670 et seq.), the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.), the State Children’s Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and title I of the Elementary and Secondary Education Act of 1965.

SA 2235. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 182, line 4, strike “, and” and all that follows through “Hawaiian law” on line 6.

SA 2236. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) No funds appropriated under this Act may be provided to hospitals or other facilities at which partial-birth abortions are performed.

(b) Subsection (a) shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

(c) In this section, the term “partial-birth abortion” means an abortion in which the person performing the abortion—

(1) deliberately and intentionally vaginally delivers a living fetus until, in the case of a head-first presentation, the entire fetal head is outside the body of the mother, or, in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus; and

(2) performs the overt act, other than completion of delivery, that kills the partially delivered living fetus.

SA 2237. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROMOTION OF FAMILY FORMATION AND HEALTHY MARRIAGE.

(a) STATE PLANS.—Section 402(a)(1)(A) of the Social Security Act (42 U.S.C.

602(a)(1)(A)) is amended by adding at the end the following:

“(vii) Encourage equitable treatment of healthy 2-parent married families under the program referred to in clause (i).”.

(b) HEALTHY MARRIAGE PROMOTION GRANTS; REPEAL OF BONUS FOR REDUCTION OF ILLEGITIMACY RATIO.—Section 403(a)(2) of such Act (42 U.S.C. 603(a)(2)) is amended to read as follows:

“(2) HEALTHY MARRIAGE PROMOTION GRANTS.—

“(A) AUTHORITY.—

“(i) IN GENERAL.—The Secretary shall award competitive grants to States and Indian tribes [and tribal organizations] for not more than 50 percent of the cost of developing and implementing innovative programs to promote and support healthy 2-parent married families.

“(ii) USE OF OTHER TANF FUNDS.—A State or Indian tribe with an approved tribal family assistance plan may use funds provided under other grants made under this part for all or part of the expenditures incurred for the remainder of the costs described in clause (i). In the case of a State, any such funds expended shall not be considered qualified State expenditures for purposes of section 409(a)(7).

“(B) HEALTHY MARRIAGE PROMOTION ACTIVITIES.—Funds provided under subparagraph (A) and corresponding State matching funds shall be used to support any of the following programs or activities:

“(i) Public advertising campaigns on the value of marriage and the skills needed to increase marital stability and health.

“(ii) Education in high schools on the importance of healthy marriages and the characteristics of other healthy relationships experienced throughout life, including education on the importance of grounding all relationships in mutual respect and how earlier healthy relationships are the building blocks for later healthy marital relationships.

“(iii) Marriage education, marriage skills, and relationship skills programs, that may include parenting skills, financial management, conflict resolution, and job and career advancement, for non-married pregnant women, non-married expectant fathers, and non-married recent parents.

“(iv) Pre-marital education and marriage skills training for engaged couples and for couples or individuals interested in marriage.

“(v) Marriage enhancement and marriage skills training programs for married couples.

“(vi) Divorce reduction programs that teach relationship skills.

“(vii) Marriage mentoring programs which use married couples as role models and mentors.

“(viii) Programs to reduce the disincentives to marriage in means-tested aid programs, if offered in conjunction with any activity described in this subparagraph.

“(C) VOLUNTARY PARTICIPATION.—

“(i) IN GENERAL.—Participation in programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall be voluntary.

“(ii) ASSURANCE OF INFORMED CONSENT AND OPTION TO DISENROLL.—Each State or Indian tribe or tribal organization that carries out programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall provide the Secretary with an assurance that each recipient of assistance under a State or tribal program funded under this part who elects to participate in such programs or activities shall be informed, prior to making such election—

“(I) that such participation is voluntary;

“(II) that the recipient may elect at any time to disenroll from such programs or ac-

tivities by notifying the State or Indian tribe or tribal organization that the recipient no longer wants to participate in such programs or activities;

“(III) of the process, if any, by which a recipient who chooses to withdraw from, or fails to participate in, such programs or activities may be required to follow to become engaged in other programs or activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B); and

“(IV) that the State may reassign a recipient at any time to other activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B).

“(iii) NO SANCTION FOR REFUSAL OR FAILURE TO PARTICIPATE.—

“(I) IN GENERAL.—No State or Indian tribe shall deny or reduce assistance to a recipient of assistance under a State or tribal program funded under this part solely on the basis of the recipient's withdrawal from, or failure to, participate in programs or activities described in clauses (iii) through (vii) of subparagraph (B).

“(II) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as precluding a State or Indian tribe from requiring a recipient of assistance under a State or tribal program funded under this part to engage in programs or activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B) or to sanction a recipient for failure to engage in such programs or activities or to follow any such procedures the State may establish to enroll a recipient in such other programs or activities.

“(D) GENERAL RULES GOVERNING USE OF FUNDS.—The rules of section 404, other than subsection (b) of that section, shall not apply to a grant made under this paragraph.

“(E) REQUIREMENTS FOR RECEIPT OF FUNDS.—A State or Indian tribe or tribal organization may not be awarded a grant under this paragraph unless the State or Indian tribe or tribal organization, as a condition of receiving funds under such a grant—

“(i) consults with domestic violence organizations that have demonstrated expertise working with survivors of domestic violence in developing policies, procedures, programs and training necessary to appropriately address domestic violence in families served by programs and activities funded under such grant;

“(ii) describes in the application for a grant under this paragraph—

“(I) how the programs or activities proposed to be conducted will appropriately address issues of domestic violence; and

“(II) what the State or Indian tribe or tribal organization, will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary;

“(iii) establishes a written protocol for providers and administrators of programs and activities relevant to the grant that—

“(I) provides for helping identify instances or risks of domestic violence; and

“(II) specifies the procedures for making service referrals and providing protections and appropriate assistance for identified individuals and families;

“(iv) establishes performance goals for funded programs and activities that clarify the primary objective of such funded programs and activities is to increase the incidence and quality of healthy marriages and not solely to expand the number or percentage of married couples; and

“(v) submits the annual reports required under subparagraph (F).

“(F) ANNUAL REPORTS TO THE SECRETARY.—Each State and Indian tribe or tribal organization awarded a grant under this paragraph shall submit to the Secretary an annual report on the programs and activities funded under the grant that includes the following:

“(i) A description of the written protocols developed in accordance with the requirements of subparagraph (E)(iii) for each program or activity funded under the grant and how such protocols are used, including specific policies and procedures for addressing domestic violence issues within each program or activity funded under the grant and how confidentiality issues are addressed.

“(ii) The name of each individual, organization, or entity that was consulted in the development of such protocols.

“(iii) A description of each individual, organization, or entity (if any) that provided training on domestic violence for the State, Indian tribe or tribal organization, or for any subgrantees.

“(iv) A description of any implementation issues identified with respect to domestic violence and how such issues were addressed.

“(G) BIENNIAL REPORTS TO CONGRESS.—Not later than 24 months after the date of enactment of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006, and every 6 months thereafter, the Secretary shall submit to Congress a report regarding the programs and activities funded with grants awarded under this paragraph. Each report submitted in accordance with this subparagraph shall include the following:

“(i) The name of each program or activity funded with such grants and the name of each grantee and subgrantee.

“(ii) The total number of individuals served under programs or activities funded under the grant.

“(iii) The total number of individuals who—

“(I) completed a program or activity funded under the grant, including the number of such individuals who received assistance under a State or tribal program funded under this part or with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) while participating in such program or activity; and

“(II) did not complete such a program or activity, including due to ceasing to receive assistance under a State or tribal program funded under this part or with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) or for other reasons.

“(iv) A description of the types of services offered under such programs or activities.

“(v) The criteria for selection of programs or activities to be funded under such grant with respect to the award of grants by the Secretary and the awarding of funds to subgrantees.

“(vi) A description of the activities carried out by the Secretary to support grantees and subgrantees in responding to domestic violence issues.

“(v) A summary of the written domestic violence protocols used by grantees and subgrantees.

“(vii) A summary of who the grantees and subgrantees consulted with in developing such protocols.

“(viii) A summary of the training provided to grantees and subgrantees on domestic violence.

“(ix) A list of the organizations, entities, and activities funded under section 413(k).

“(H) DOMESTIC VIOLENCE DEFINED.—In this paragraph, the term ‘domestic violence’ has the meaning given that term in section 402(a)(7)(B).

“(I) APPROPRIATION.—

“(i) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise

appropriated, there are appropriated for each of fiscal years 2006 through 2011, \$100,000,000 for grants under this paragraph.

“(ii) EXTENDED AVAILABILITY OF FUNDS.—

“(I) IN GENERAL.—Funds appropriated under clause (i) for each of fiscal years 2006 through 2011 shall remain available to the Secretary until expended.

“(II) AUTHORITY FOR GRANT RECIPIENTS.—A State or Indian tribe or tribal organization may use funds made available under a grant awarded under this paragraph without fiscal year limitation pursuant to the terms of the grant.”.

(c) COUNTING OF SPENDING ON NON-ELIGIBLE FAMILIES TO PREVENT AND REDUCE INCIDENCE OF OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED FAMILIES, OR ENCOURAGE RESPONSIBLE FATHERHOOD.—Section 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i)) is amended by adding at the end the following:

“(V) COUNTING OF SPENDING ON NON-ELIGIBLE FAMILIES TO PREVENT AND REDUCE INCIDENCE OF OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED FAMILIES, OR ENCOURAGE RESPONSIBLE FATHERHOOD.—Subject to subclauses (II) and (III), the term ‘qualified State expenditures’ includes the total expenditures by the State during the fiscal year under all State programs for a purpose described in paragraph (3) or (4) of section 401(a).”.

(d) PURPOSES.—Section 401(a)(4) of such Act (42 U.S.C. 601(a)(4)) is amended by striking “two-parent families” and inserting “healthy 2-parent married families, and encourage responsible fatherhood”.

(e) SECRETARY’S FUND FOR RESEARCH, DEMONSTRATIONS, AND TECHNICAL ASSISTANCE.—Section 413 of such Act (42 U.S.C. 613) is amended by adding at the end the following: “(k) FUNDING FOR RESEARCH, DEMONSTRATIONS, AND TECHNICAL ASSISTANCE.—

“(1) APPROPRIATION.—

“(A) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$80,000,000 for each of fiscal years 2006 through 2011, which shall remain available to the Secretary until expended.

“(B) USE OF FUNDS.—

“(i) IN GENERAL.—Funds appropriated under subparagraph (A) for a fiscal year shall be expended for the purpose of conducting or supporting research and demonstration projects by public or private entities in connection with activities described in section 403(a)(2)(B), or for providing technical assistance in connection with such activities, to States, Indian tribal organizations, sub-State entities, and such other entities as the Secretary may specify.

“(ii) AMOUNTS IN ADDITION TO OTHER FUNDS.—Funds appropriated under subparagraph (A) and expended in accordance with this subsection shall be in addition to any other funds made available under this part for activities described in section 403(a)(2)(B).

“(2) SECRETARY’S AUTHORITY.—The Secretary may conduct activities authorized by this subsection directly or through grants, contracts, or interagency agreements with public or private entities.

“(3) REQUIREMENT FOR USE OF FUNDS.—The Secretary shall not pay any funds appropriated under paragraph (1)(A) to an entity for the purpose of conducting or supporting research and demonstration projects involving activities described in section 403(a)(2)(B) unless the entity, as a condition of receiving funds under such a grant—

“(A) describes in the application for a grant under this subsection—

“(i) how the programs or activities proposed to be conducted will appropriately address issues of domestic violence; and

“(ii) what the organization will do to ensure that participation in such programs or activities is voluntary, in accordance with the provisions of section 403(a)(2)(C), and to inform potential participants that their involvement is voluntary; and

“(B) establishes a written protocol for providers and administrators of programs and activities relevant to the grant that—

“(i) provides for helping identify instances or risks of domestic violence; and

“(ii) specifies the procedures for making service referrals and providing protections and appropriate assistance for identified individuals and families.”.

(f) REDUCTION IN BONUS TO REWARD HIGH PERFORMANCE STATES.—Section 403(a)(4) of the Social Security Act (42 U.S.C. 603(a)(4)) is amended—

(1) in subparagraph (D)(ii)—

(A) in subclause (I), by striking “\$200,000,000” and inserting “\$120,000,000”; and

(B) in subclause (II), by striking “\$1,000,000,000” and inserting “\$720,000,000”;.

(2) in subparagraph (E)(i), by striking “1999, 2000, 2001, 2002, and 2003” and inserting “2006, 2007, 2008, 2009, 2010, and 2011”; and

(3) in subparagraph (F), by striking “1999 through 2003 \$1,000,000,000” and inserting “2006 through 2011, \$720,000,000”.

(g) EFFECTIVE DATE.—The amendments made by this section shall be effective as if enacted on October 1, 2005, and shall apply without fiscal year limitation.

SA 2238. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ RESPONSIBLE FATHERHOOD PROGRAM.

(a) RESPONSIBLE FATHERHOOD PROGRAM.—

(1) FINDINGS.—Congress makes the following findings:

(A) Nearly 24,000,000 children in the United States, or 34 percent of all such children, live apart from their biological father.

(B) Sixty percent of couples who divorce have at least 1 child.

(C) The number of children living with only a mother increased from just over 5,000,000 in 1960 to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent.

(D) Forty percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father’s home.

(E) The most important factor in a child’s upbringing is whether the child is brought up in a loving, healthy, supportive environment.

(F) Children who live without contact with their biological father are, in comparison to children who have such contact—

(i) 5 times more likely to live in poverty;

(ii) more likely to bring weapons and drugs into the classroom;

(iii) twice as likely to commit crime;

(iv) twice as likely to drop out of school;

(v) more likely to commit suicide;

(vi) more than twice as likely to abuse alcohol or drugs; and

(vii) more likely to become pregnant as teenagers.

(G) Violent criminals are overwhelmingly males who grew up without fathers.

(H) Between 20 and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year, and between 40 and 60 percent of women with children receiving welfare were abused sometime during their life.

(I) Responsible fatherhood includes active participation in financial support and child care, as well as the formation and maintenance of a positive, healthy, and nonviolent relationship between father and child and a cooperative relationship between parents.

(J) States should be encouraged to implement programs that provide support for responsible fatherhood, promote marriage, and increase the incidence of marriage, and should not be restricted from implementing such programs.

(K) Fatherhood programs should promote and provide support services for—

(i) loving and healthy relationships between parents and children; and

(ii) cooperative parenting.

(L) There is a social need to reconnect children and fathers.

(M) The promotion of responsible fatherhood and encouragement of healthy 2-parent married families should not—

(i) denigrate the standing or parenting efforts of single mothers or other caregivers;

(ii) lessen the protection of children from abusive parents; or

(iii) compromise the safety or health of the custodial parent;

but should increase the chance that children will have 2 caring parents to help them grow up healthy and secure.

(N) The promotion of responsible fatherhood must always recognize and promote the values of nonviolence.

(O) For the future of the United States and the future of our children, Congress, States, and local communities should assist parents to become more actively involved in their children’s lives.

(P) Child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child.

(2) FATHERHOOD PROGRAM.—Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) is amended by adding at the end the following:

“SEC. 117. FATHERHOOD PROGRAM.

“(a) IN GENERAL.—Title IV (42 U.S.C. 601-679b) is amended by inserting after part B the following:

“PART C—RESPONSIBLE FATHERHOOD PROGRAM

“SEC. 441. RESPONSIBLE FATHERHOOD GRANTS.

“(a) GRANTS TO STATES TO CONDUCT DEMONSTRATION PROGRAMS.—

“(1) AUTHORITY TO AWARD GRANTS.—

“(A) IN GENERAL.—The Secretary shall award grants to up to 10 eligible States to conduct demonstration programs to carry out the purposes described in paragraph (2).

“(B) ELIGIBLE STATE.—For purposes of this subsection, an eligible State is a State that submits to the Secretary the following:

“(i) APPLICATION.—An application for a grant under this subsection, at such time, in such manner, and containing such information as the Secretary may require.

“(ii) STATE PLAN.—A State plan that includes the following:

“(I) PROJECT DESCRIPTION.—A description of the programs or activities the State will fund under the grant, including a good faith estimate of the number and characteristics of clients to be served under such projects

and how the State intends to achieve at least 2 of the purposes described in paragraph (2).

“(II) COORDINATION EFFORTS.—A description of how the State will coordinate and cooperate with State and local entities responsible for carrying out other programs that relate to the purposes intended to be achieved under the demonstration program, including as appropriate, entities responsible for carrying out jobs programs and programs serving children and families.

“(III) RECORDS, REPORTS, AND AUDITS.—An agreement to maintain such records, submit such reports, and cooperate with such reviews and audits as the Secretary finds necessary for purposes of oversight of the demonstration program.

“(iii) CERTIFICATIONS.—The following certifications from the chief executive officer of the State:

“(I) A certification that the State will use funds provided under the grant to promote at least 2 of the purposes described in paragraph (2).

“(II) A certification that the State will return any unused funds to the Secretary in accordance with the reconciliation process under paragraph (5).

“(III) A certification that the funds provided under the grant will be used for programs and activities that target low-income participants and that not less than 50 percent of the participants in each program or activity funded under the grant shall be—

“(aa) parents of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under part A, D, or E of this title, title XIX, or the Food Stamp Act of 1977; or

“(bb) parents, including an expectant parent or a married parent, whose income (after adjustment for court-ordered child support paid or received) does not exceed 150 percent of the poverty line.

“(IV) A certification that the State has or will comply with the requirements of paragraph (4).

“(V) A certification that funds provided to a State under this subsection shall not be used to supplement or supplant other Federal, State, or local funds that are used to support programs or activities that are related to the purposes described in paragraph (2).

“(C) PREFERENCES AND FACTORS OF CONSIDERATION.—In awarding grants under this subsection, the Secretary shall take into consideration the following:

“(i) DIVERSITY OF ENTITIES USED TO CONDUCT PROGRAMS AND ACTIVITIES.—The Secretary shall, to the extent practicable, achieve a balance among the eligible States awarded grants under this subsection with respect to the size, urban or rural location, and employment of differing or unique methods of the entities that the eligible States intend to use to conduct the programs and activities funded under the grants.

“(ii) PRIORITY FOR CERTAIN STATES.—The Secretary shall give priority to awarding grants to eligible States that have—

“(I) demonstrated progress in achieving at least 1 of the purposes described in paragraph (2) through previous State initiatives; or

“(II) demonstrated need with respect to reducing the incidence of out-of-wedlock births or absent fathers in the State.

“(2) PURPOSES.—The purposes described in this paragraph are the following:

“(A) PROMOTING RESPONSIBLE FATHERHOOD THROUGH MARRIAGE PROMOTION.—To promote marriage or sustain marriage through activities such as counseling, mentoring, disseminating information about the benefits of marriage and 2-parent involvement for children, enhancing relationship skills, education regarding how to control aggressive

behavior, disseminating information on the causes of domestic violence and child abuse, marriage preparation programs, premarital counseling, marital inventories, skills-based marriage education, financial planning seminars, including improving a family's ability to effectively manage family business affairs by means such as education, counseling, or mentoring on matters related to family finances, including household management, budgeting, banking, and handling of financial transactions and home maintenance, and divorce education and reduction programs, including mediation and counseling.

“(B) PROMOTING RESPONSIBLE FATHERHOOD THROUGH PARENTING PROMOTION.—To promote responsible parenting through activities such as counseling, mentoring, and mediation, disseminating information about good parenting practices, skills-based parenting education, encouraging child support payments, and other methods.

“(C) PROMOTING RESPONSIBLE FATHERHOOD THROUGH FOSTERING ECONOMIC STABILITY OF FATHERS.—To foster economic stability by helping fathers improve their economic status by providing activities such as work first services, job search, job training, subsidized employment, job retention, job enhancement, and encouraging education, including career-advancing education, dissemination of employment materials, coordination with existing employment services such as welfare-to-work programs, referrals to local employment training initiatives, and other methods.

“(3) RESTRICTION ON USE OF FUNDS.—No funds provided under this subsection may be used for costs attributable to court proceedings regarding matters of child visitation or custody, or for legislative advocacy.

“(4) REQUIREMENTS FOR RECEIPT OF FUNDS.—A State may not be awarded a grant under this section unless the State, as a condition of receiving funds under such a grant—

“(A) consults with experts in domestic violence or with relevant community domestic violence coalitions in developing such programs or activities; and

“(B) describes in the application for a grant under this section—

“(i) how the programs or activities proposed to be conducted will address, as appropriate, issues of domestic violence; and

“(ii) what the State will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary.

“(5) RECONCILIATION PROCESS.—

“(A) 3-YEAR AVAILABILITY OF AMOUNTS ALLOTTED.—Each eligible State that receives a grant under this subsection for a fiscal year shall return to the Secretary any unused portion of the grant for such fiscal year not later than the last day of the second succeeding fiscal year, together with any earnings on such unused portion.

“(B) PROCEDURE FOR REDISTRIBUTION.—The Secretary shall establish an appropriate procedure for redistributing to eligible States that have expended the entire amount of a grant made under this subsection for a fiscal year any amount that is returned to the Secretary by eligible States under subparagraph (A).

“(6) AMOUNT OF GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount of each grant awarded under this subsection shall be an amount sufficient to implement the State plan submitted under paragraph (1)(B)(ii).

“(B) MINIMUM AMOUNTS.—No eligible State shall—

“(i) in the case of the District of Columbia or a State other than the Commonwealth of Puerto Rico, the United States Virgin Is-

lands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, receive a grant for a fiscal year in an amount that is less than \$1,000,000; and

“(ii) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, receive a grant for a fiscal year in an amount that is less than \$500,000.

“(7) DEFINITION OF STATE.—In this subsection, the term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(8) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for each of fiscal years 2006 through 2010, \$20,000,000 for purposes of making grants to eligible States under this subsection.

“(b) GRANTS TO ELIGIBLE ENTITIES TO CONDUCT DEMONSTRATION PROGRAMS.—

“(1) AUTHORITY TO AWARD GRANTS.—

“(A) IN GENERAL.—The Secretary shall award grants to eligible entities to conduct demonstration programs to carry out the purposes described in subsection (a)(2).

“(B) ELIGIBLE ENTITY.—For purposes of this subsection, an eligible entity is a local government, local public agency, community-based or nonprofit organization, or private entity, including any charitable or faith-based organization, or an Indian tribe or tribal organization (as defined in section 419(4)), that submits to the Secretary the following:

“(i) APPLICATION.—An application for a grant under this subsection, at such time, in such manner, and containing such information as the Secretary may require.

“(ii) PROJECT DESCRIPTION.—A description of the programs or activities the entity intends to carry out with funds provided under the grant, including a good faith estimate of the number and characteristics of clients to be served under such programs or activities and how the entity intends to achieve at least 2 of the purposes described in subsection (a)(2).

“(iii) COORDINATION EFFORTS.—A description of how the entity will coordinate and cooperate with State and local entities responsible for carrying out other programs that relate to the purposes intended to be achieved under the demonstration program, including as appropriate, entities responsible for carrying out jobs programs and programs serving children and families.

“(iv) RECORDS, REPORTS, AND AUDITS.—An agreement to maintain such records, submit such reports, and cooperate with such reviews and audits as the Secretary finds necessary for purposes of oversight of the demonstration program.

“(v) CERTIFICATIONS.—The following certifications:

“(I) A certification that the entity will use funds provided under the grant to promote at least 2 of the purposes described in subsection (a)(2).

“(II) A certification that the entity will return any unused funds to the Secretary in accordance with the reconciliation process under paragraph (3).

“(III) A certification that the funds provided under the grant will be used for programs and activities that target low-income participants and that not less than 50 percent of the participants in each program or activity funded under the grant shall be—

“(aa) parents of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under part A, D, or E of this title, title XIX, or the Food Stamp Act of 1977; or

“(bb) parents, including an expectant parent or a married parent, whose income (after adjustment for court-ordered child support paid or received) does not exceed 150 percent of the poverty line.

“(IV) A certification that the entity has or will comply with the requirements of paragraph (3).

“(V) A certification that funds provided to an entity under this subsection shall not be used to supplement or supplant other Federal, State, or local funds provided to the entity that are used to support programs or activities that are related to the purposes described in subsection (a)(2).

“(C) PREFERENCES AND FACTORS OF CONSIDERATION.—In awarding grants under this subsection, the Secretary shall, to the extent practicable, achieve a balance among the eligible entities awarded grants under this subsection with respect to the size, urban or rural location, and employment of differing or unique methods of the entities.

“(2) RESTRICTION ON USE OF FUNDS.—No funds provided under this subsection may be used for costs attributable to court proceedings regarding matters of child visitation or custody, or for legislative advocacy.

“(3) REQUIREMENTS FOR USE OF FUNDS.—The Secretary may not award a grant under this subsection to an eligible entity unless the entity, as a condition of receiving funds under such a grant—

“(A) consults with experts in domestic violence or with relevant community domestic violence coalitions in developing the programs or activities to be conducted with such funds awarded under the grant; and

“(B) describes in the application for a grant under this section—

“(i) how the programs or activities proposed to be conducted will address, as appropriate, issues of domestic violence; and

“(ii) what the entity will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary.

“(4) RECONCILIATION PROCESS.—

“(A) 3-YEAR AVAILABILITY OF AMOUNTS ALLOTTED.—Each eligible entity that receives a grant under this subsection for a fiscal year shall return to the Secretary any unused portion of the grant for such fiscal year not later than the last day of the second succeeding fiscal year, together with any earnings on such unused portion.

“(B) PROCEDURE FOR REDISTRIBUTION.—The Secretary shall establish an appropriate procedure for redistributing to eligible entities that have expended the entire amount of a grant made under this subsection for a fiscal year any amount that is returned to the Secretary by eligible entities under subparagraph (A).

“(5) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for each of fiscal years 2006 through 2010, \$25,000,000 for purposes of making grants to eligible entities under this subsection.

“SEC. 442. NATIONAL CLEARINGHOUSE FOR RESPONSIBLE FATHERHOOD PROGRAMS.

“(a) MEDIA CAMPAIGN NATIONAL CLEARINGHOUSE FOR RESPONSIBLE FATHERHOOD.—

“(1) IN GENERAL.—From any funds appropriated under subsection (c), the Secretary shall contract with a nationally recognized, nonprofit fatherhood promotion organization described in subsection (b) to—

“(A) develop, promote, and distribute to interested States, local governments, public agencies, and private entities a media campaign that encourages the appropriate involvement of parents in the life of any child, with a priority for programs that specifically

address the issue of responsible fatherhood; and

“(B) develop a national clearinghouse to assist States and communities in efforts to promote and support marriage and responsible fatherhood by collecting, evaluating, and making available (through the Internet and by other means) to other States information regarding the media campaigns established under section 443.

“(2) COORDINATION WITH DOMESTIC VIOLENCE PROGRAMS.—The Secretary shall ensure that the nationally recognized nonprofit fatherhood promotion organization with a contract under paragraph (1) coordinates the media campaign developed under subparagraph (A) of such paragraph and the national clearinghouse developed under subparagraph (B) of such paragraph with national, State, or local domestic violence programs.

“(b) NATIONALLY RECOGNIZED, NONPROFIT FATHERHOOD PROMOTION ORGANIZATION DESCRIBED.—The nationally recognized, nonprofit fatherhood promotion organization described in this subsection is an organization that has at least 4 years of experience in—

“(1) designing and disseminating a national public education campaign, as evidenced by the production and successful placement of television, radio, and print public service announcements that promote the importance of responsible fatherhood, a track record of service to Spanish-speaking populations and historically underserved or minority populations, the capacity to fulfill requests for information and a proven history of fulfilling such requests, and a mechanism through which the public can request additional information about the campaign; and

“(2) providing consultation and training to community-based organizations interested in implementing fatherhood outreach, support, or skill development programs with an emphasis on promoting married fatherhood as the ideal.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of fiscal years 2006 through 2010 to carry out this section.

“SEC. 443. BLOCK GRANTS TO STATES TO ENCOURAGE MEDIA CAMPAIGNS.

“(a) DEFINITIONS.—In this section:

“(1) BROADCAST ADVERTISEMENT.—The term ‘broadcast advertisement’ means a communication intended to be aired by a television or radio broadcast station, including a communication intended to be transmitted through a cable channel.

“(2) CHILD AT RISK.—The term ‘child at risk’ means each young child whose family income does not exceed the poverty line.

“(3) POVERTY LINE.—The term ‘poverty line’ has the meaning given such term in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by such section, that is applicable to a family of the size involved.

“(4) PRINTED OR OTHER ADVERTISEMENT.—The term ‘printed or other advertisement’ includes any communication intended to be distributed through a newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public advertising, but does not include any broadcast advertisement.

“(5) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(6) YOUNG CHILD.—The term ‘young child’ means an individual under age 5.

“(b) STATE CERTIFICATIONS.—Not later than October 1 of each of fiscal year for which a State desires to receive an allotment under this section, the chief executive officer

of the State shall submit to the Secretary a certification that the State shall—

“(1) use such funds to promote the formation and maintenance of healthy 2-parent married families, strengthen fragile families, and promote responsible fatherhood through media campaigns conducted in accordance with the requirements of subsection (d);

“(2) return any unused funds to the Secretary in accordance with the reconciliation process under subsection (e); and

“(3) comply with the reporting requirements under subsection (f).

“(c) PAYMENTS TO STATES.—For each of fiscal years 2006 through 2010, the Secretary shall pay to each State that submits a certification under subsection (b), from any funds appropriated under subsection (i), for the fiscal year an amount equal to the amount of the allotment determined for the fiscal year under subsection (g).

“(d) ESTABLISHMENT OF MEDIA CAMPAIGNS.—Each State receiving an allotment under this section for a fiscal year shall use the allotment to conduct media campaigns as follows:

“(1) CONDUCT OF MEDIA CAMPAIGNS.—

“(A) RADIO AND TELEVISION MEDIA CAMPAIGNS.—

“(i) PRODUCTION OF BROADCAST ADVERTISEMENTS.—At the option of the State, to produce broadcast advertisements that promote the formation and maintenance of healthy 2-parent married families, strengthen fragile families, and promote responsible fatherhood.

“(ii) AIRTIME CHALLENGE PROGRAM.—At the option of the State, to establish an airtime challenge program under which the State may spend amounts allotted under this section to purchase time from a broadcast station to air a broadcast advertisement produced under clause (i), but only if the State obtains an amount of time of the same class and during a comparable period to air the advertisement using non-Federal contributions.

“(B) OTHER MEDIA CAMPAIGNS.—At the option of the State, to conduct a media campaign that consists of the production and distribution of printed or other advertisements that promote the formation and maintenance of healthy 2-parent married families, strengthen fragile families, and promote responsible fatherhood.

“(2) ADMINISTRATION OF MEDIA CAMPAIGNS.—A State may administer media campaigns funded under this section directly or through grants, contracts, or cooperative agreements with public agencies, local governments, or private entities, including charitable and faith-based organizations.

“(3) CONSULTATION WITH DOMESTIC VIOLENCE ASSISTANCE CENTERS.—In developing broadcast and printed advertisements to be used in the media campaigns conducted under paragraph (1), the State or other entity administering the campaign shall consult with representatives of State and local domestic violence centers.

“(4) NON-FEDERAL CONTRIBUTIONS.—In this section, the term ‘non-Federal contributions’ includes contributions by the State and by public and private entities. Such contributions may be in cash or in kind. Such term does not include any amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, or any amount expended by a State before October 1, 2005.

“(e) RECONCILIATION PROCESS.—

“(1) 3-YEAR AVAILABILITY OF AMOUNTS ALLOTTED.—Each State that receives an allotment under this section shall return to the Secretary any unused portion of the amount allotted to a State for a fiscal year not later than the last day of the second succeeding

fiscal year together with any earnings on such unused portion.

“(2) PROCEDURE FOR REDISTRIBUTION OF UNUSED ALLOTMENTS.—The Secretary shall establish an appropriate procedure for redistributing to States that have expended the entire amount allotted under this section any amount that is—

“(A) returned to the Secretary by States under paragraph (1); or

“(B) not allotted to a State under this section because the State did not submit a certification under subsection (b) by October 1 of a fiscal year.

“(f) REPORTING REQUIREMENTS.—

“(1) MONITORING AND EVALUATION.—Each State receiving an allotment under this section for a fiscal year shall monitor and evaluate the media campaigns conducted using funds made available under this section in such manner as the Secretary, in consultation with the States, determines appropriate.

“(2) ANNUAL REPORTS.—Not less frequently than annually, each State receiving an allotment under this section for a fiscal year shall submit to the Secretary reports on the media campaigns conducted using funds made available under this section at such time, in such manner, and containing such information as the Secretary may require.

“(g) AMOUNT OF ALLOTMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), of the amount appropriated for the purpose of making allotments under this section for a fiscal year, the Secretary shall allot to each State that submits a certification under subsection (b) for the fiscal year an amount equal to the sum of—

“(A) the amount that bears the same ratio to 50 percent of such funds as the number of young children in the State (as determined by the Secretary based on the most current reliable data available) bears to the number of such children in all States; and

“(B) the amount that bears the same ratio to 50 percent of such funds as the number of children at risk in the State (as determined by the Secretary based on the most current reliable data available) bears to the number of such children in all States.

“(2) MINIMUM ALLOTMENTS.—No allotment for a fiscal year under this section shall be less than—

“(A) in the case of the District of Columbia or a State other than the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, 1 percent of the amount appropriated for the fiscal year under subsection (i); and

“(B) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, 0.5 percent of such amount.

“(3) PRO RATA REDUCTIONS.—The Secretary shall make such pro rata reductions to the allotments determined under this subsection as are necessary to comply with the requirements of paragraph (2).

“(h) EVALUATION.—

“(1) IN GENERAL.—The Secretary shall conduct an evaluation of the impact of the media campaigns funded under this section.

“(2) REPORT.—Not later than December 31, 2008, the Secretary shall report to Congress the results of the evaluation under paragraph (1).

“(3) FUNDING.—Of the amount appropriated under subsection (i) for fiscal year 2006, \$1,000,000 of such amount shall be transferred and made available for purposes of conducting the evaluation required under this subsection, and shall remain available until expended.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 for each of fiscal years 2006 through 2010 for purposes of making allotments to States under this section.

“SEC. 444. NATIONAL RESOURCE CENTER FOR RESPONSIBLE FATHERHOOD

“(a) IN GENERAL.—The Secretary shall contract with a nationally recognized, nonprofit research and education fatherhood organization described in subsection (b) to—

“(1) provide technical assistance and training to public and private agencies and grass roots organizations that promote responsible fatherhood and healthy marriage; and

“(2) develop a clearinghouse of resource materials to assist community-based organizations in developing local responsible fatherhood programs, with an emphasis on training and outcome evaluation.

“(b) NATIONALLY RECOGNIZED NONPROFIT RESEARCH AND EDUCATION FATHERHOOD ORGANIZATION DESCRIBED.—A nationally recognized nonprofit research and education fatherhood organization described in this subsection is an organization that has been in existence for at least 12 years with experience in—

“(1) developing and distributing research-based curriculum that promotes responsible fatherhood and healthy marriage with an emphasis on low-income and noncustodial fathers;

“(2) providing consultation and training to community-based organizations with a track record of working with social service, government, and faith-based organizations; and

“(3) providing direct training to fathers, father figures, and mothers using research-based curriculum in a variety of economic, cultural and family situations.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section, \$1,000,000 for each of fiscal years 2006 through 2010.

“SEC. 445. NONDISCRIMINATION.

“The projects and activities assisted under this part shall be available on the same basis to all fathers and expectant fathers able to benefit from such projects and activities, including married and unmarried fathers and custodial and noncustodial fathers, with particular attention to low-income fathers, and to mothers and expectant mothers on the same basis as to fathers.”

“(b) INAPPLICABILITY OF EFFECTIVE DATE PROVISIONS.—Section 116 shall not apply to the amendment made by subsection (a) of this section.”

(3) CLERICAL AMENDMENT.—Section 2 of such Act is amended in the table of contents by inserting after the item relating to section 116 the following new item:

“Sec. 117. Responsible fatherhood program.”

(4) EFFECTIVE DATE.—The amendments made by this subsection shall be effective as if enacted on October 1, 2005, and shall apply without fiscal year limitation.

(b) REDUCTION OF FUNDS.—Notwithstanding any other provision of this Act, the following amounts shall be available for the following purposes and any other amounts appropriated in this Act for such purposes are reduced accordingly:

(1) For Parent Information Resource Centers, \$12,000,000.

(2) For School Leadership programs and activities, \$8,000,000.

(3) For State Grants for Incarcerated Youth, \$0.

SA 2239. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making ap-

propriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ The Secretary of Health and Human Services shall use amounts appropriated under title II for the purchase of not less than 1,000,000 rapid oral HIV tests.

SA 2240. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 178, after line 25, insert the following:

SEC. ____ SUPPORT FOR NONPROFIT COMMUNITY-BASED ORGANIZATIONS; DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS.—The Secretary of Health and Human Services (referred to in this section as “the Secretary”) may award grants to and enter into cooperative agreements with nongovernmental organizations, to—

(1) provide technical assistance for community-based organizations, which may include—

(A) grant writing and grant management assistance, which may include assistance provided through workshops and other guidance;

(B) legal assistance with incorporation;

(C) legal assistance to obtain tax-exempt status; and

(D) information on, and referrals to, other nongovernmental organizations that provide expertise in accounting, on legal issues, on tax issues, in program development, and on a variety of other organizational topics;

(2) provide information and assistance for community-based organizations on capacity building;

(3) provide for community-based organizations information on and assistance in identifying and using best practices for delivering assistance to persons, families, and communities in need;

(4) provide information on and assistance in utilizing regional intermediary organizations to increase and strengthen the capabilities of nonprofit community-based organizations;

(5) assist community-based organizations in replicating social service programs of demonstrated effectiveness; and

(6) encourage research on the best practices of social service organizations.

(b) SUPPORT FOR STATES.—The Secretary—

(1) may award grants to and enter into cooperative agreements with States and political subdivisions of States to provide seed money to establish State and local offices of faith-based and community initiatives; and

(2) shall provide technical assistance to States and political subdivisions of States in administering the provisions of this Act.

(c) APPLICATIONS.—To be eligible to receive a grant or enter into a cooperative agreement under this section, a nongovernmental organization, State, or political subdivision shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) LIMITATION.—In order to widely disburse limited resources, no community-

based organization (other than a direct recipient of a grant or cooperative agreement from the Secretary) may receive more than 1 grant or cooperative agreement under this section for the same purpose.

(e) **DEFINITION.**—In this section, the term “community-based organization” means a nonprofit corporation or association that has—

(1) not more than 6 full-time equivalent employees who are engaged in the provision of social services; or

(2) a current annual budget (current as of the date the entity seeks assistance under this section) for the provision of social services, compiled and adopted in good faith, of less than \$450,000.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$150,000,000 for fiscal year 2006, and such sums as may be necessary for each of fiscal years 2007 through 2009.

(g) **APPROPRIATION.**—In addition to any other amounts appropriated under this Act for a compassion capital fund, there is appropriated \$55,000,000 for such a fund.

(h) **REDUCTION OF FUNDS.**—Notwithstanding any other provision of this Act, the following amounts shall be available for the following purposes and any other amounts appropriated in this Act for such purposes are reduced accordingly:

(1) For parental information and resource centers carried out under subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965, \$11,000,000.

(2) For Youth Offender Grants, \$0.

SA 2241. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____.(a) There is established a Congressional Commission on Expanding Social Service Delivery Options (referred to in this section as the “Commission”).

(b)(1) The Commission shall be composed of 10 members, of whom—

(A) 3 shall be appointed by the Speaker of the House of Representatives;

(B) 3 shall be appointed by the majority leader of the Senate;

(C) 2 shall be appointed by the minority leader of the House of Representatives; and

(D) 2 shall be appointed by the minority leader of the Senate.

(2) Members of the Commission shall be appointed from among individuals with demonstrated expertise and experience in social service delivery, including, to the extent practicable, in the area of reform of such delivery.

(3) The appointments of the members of the Commission shall be made not later than 30 days after the date of enactment of this Act.

(4) Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) The Speaker of the House of Representatives shall designate 1 of the members appointed under subsection (b)(1)(A) as a co-

Chairperson of the Commission. The majority leader of the Senate shall designate 1 of the members appointed under subsection (b)(1)(B) as a co-Chairperson of the Commission.

(d)(1) Not later than 60 days after the date of enactment of this Act, the Commission shall hold its first meeting.

(2) The Commission shall meet at the call of either co-Chairperson.

(3) A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(e)(1)(A) The Commission shall conduct a thorough and thoughtful study of all matters relating to increasing beneficiary-selected or beneficiary-directed options for social service delivery in Federal social service programs, including certificate, scholarship, voucher, or other forms of indirect delivery. The Commission shall review all relevant Federal social service programs in existence on the date of the beginning of the study, including the initiatives of the Corporation for National and Community Service. The Commission shall determine program areas, among the Federal programs, for which it is appropriate and feasible to implement full or partial beneficiary-selected or beneficiary-directed options for the delivery of the social services.

(B) In making determinations under subparagraph (A), the Commission shall seek to promote goals of—

(i) expanding consumer and beneficiary choice in Federal social service programs;

(ii) maximizing the use of governmental resources in the Federal programs; and

(iii) minimizing concerns relating to any precedent under the Constitution regarding the participation of faith-based providers in the Federal programs.

(2) The Commission shall develop recommendations on program areas, among the Federal social service programs, for which it is appropriate and feasible to implement full or partial beneficiary-selected or beneficiary-directed options for the delivery of the social services.

(3) Not later than 11 months after the date of enactment of this Act, the Commission shall submit a report to the Speaker and minority leader of the House of Representatives and the majority leader and minority leader of the Senate, which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

(f)(1) The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out this section.

(2) The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this section. Upon request of either co-Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(g)(1) Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of

the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3)(A) The co-Chairpersons of the Commission, acting jointly, may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) The co-Chairpersons of the Commission, acting jointly, may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The co-Chairpersons of the Commission, acting jointly, may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(h) The Commission shall terminate 90 days after the date on which the Commission submits its report under subsection (e).

(i)(1) There are authorized to be appropriated to the Commission for fiscal year 2006 such sums as may be necessary to carry out this section.

(2) Any sums appropriated under the authorization contained in this subsection shall remain available, without fiscal year limitation, until expended.

SA 2242. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **CERTAIN TELEVISION PARTS.**

(a) **IN GENERAL.**—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new headings:

“	9902.85.21	Liquid Crystal Device (LCD) panel assemblies for use in Liquid Crystal Device direct view televisions (provided for in subheading 9013.80.90)	Free	No change	No change	On or before 12/31/2008	”
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"	9902.85.22	Liquid Crystal Device (LCD) panel assemblies for use in Liquid Crystal Device direct view televisions (provided for in subheading 9013.80.90)	Free	No change	No change	On or before 12/31/2008	
"	9902.85.23	Electron guns actually used for high definition cathode ray tubes (CRT's) (provided for in subheading 8540.91.50)	Free	No change	No change	On or before 12/31/2008	".

(b) **EFFECTIVE DATE.**—The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SA 2243. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the bill, insert the following:

SEC. ____ . DUTY TREATMENT OF QUALIFYING TELEVISIONS PRODUCED IN A FOREIGN TRADE ZONE.

(a) **CERTAIN TELEVISION RECEPTION APPARATUS.**—Section 202(a)(2)(A) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3332(a)(2)(A)), is amended by striking "Subparagraph (B)" and inserting "Except for television reception apparatus classified under heading 8528 of the Harmonized Tariff Schedule of the United States, subparagraph (B)."

(b) **EFFECTIVE DATE.**—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SA 2244. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 156, line 2, strike "Funds." and insert "Funds: *Provided further*, That the Secretary, by not later than January 1, 2006, shall produce and mail a corrected version of the annual notice required under section 1804(a) of the Social Security Act (42 U.S.C. 1395b-2(a)) to each beneficiary described in the second sentence of such section, together with an explanation of the error in the previous annual notice that was mailed to such beneficiaries."

SA 2245. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. ____ . In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$12,375,000,000 for carrying out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), in order to fully fund the Federal Government's share of the costs under such part.

SA 2246. Mr. KENNEDY (for himself, Mr. HARKIN, and Mr. LAUTENBERG) sub-

mitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, line 18, insert before the period the following: " *Provided*, That the Current Employment Survey shall maintain the content of the survey issued prior to August 2005 with respect to the collection of data for the women worker series".

SA 2247. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

SEC. ____ . POSTSECONDARY EDUCATION STABILIZATION BOARD.

(a) **APPROPRIATIONS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, of the amounts made available to the Department of Homeland Security under the heading "Disaster Relief" under the heading "Emergency Preparedness and Response" of Public Law 109-62 (119 Stat. 1991), not less than \$5,000,000,000 shall be available to the Postsecondary Education Stabilization Board, established under this section, to establish an Education Relief Fund for the compensation of postsecondary educational institutions for direct and associated losses due to the impact of Hurricane Katrina or Rita and for recovery initiatives.

(2) **AMOUNTS AVAILABLE UNTIL EXPENDED.**—The amounts appropriated under paragraph (1) shall remain available until expended.

(b) **POSTSECONDARY EDUCATIONAL INSTITUTION.**—In this section, the term "postsecondary educational institution" means—

(1) a public postsecondary institution;

(2) a private nonprofit postsecondary institution, which is accredited by the appropriate State entity; or

(3) a private for profit postsecondary institution determined by the Postsecondary Education Stabilization Board to be eligible for assistance under this section.

(c) **POSTSECONDARY EDUCATION STABILIZATION BOARD.**—

(1) **ESTABLISHMENT.**—There is established a Postsecondary Education Stabilization Board composed of the Secretary of Education (or a designee of the Secretary of Education), and the Secretary of the Treasury (or a designee of the Secretary of the Treasury).

(2) **DUTIES.**—The Postsecondary Education Stabilization Board shall—

(A) establish an Education Relief Fund that includes funds appropriated under this section;

(B) from such Education Relief Fund provide funds to postsecondary educational institutions for direct or indirect losses resulting from the impact of Hurricane Katrina or Rita, and recovery initiatives of such institutions;

(C) give preference to postsecondary educational institutions that demonstrate to the Postsecondary Education Stabilization Board the greatest need based on the institution's direct or indirect losses; and

(D) give consideration to the overall economic and physical impact of the disaster on the State in which the postsecondary educational institution is based.

(d) **USE OF ASSISTANCE.**—Assistance received by a postsecondary educational institution pursuant to this section may be used for—

(1) direct and indirect construction costs and clean-up costs resulting from Hurricane Katrina or Rita;

(2) faculty salaries and incentives for retaining faculty;

(3) educational programs relevant to the recovery effort;

(4) institutional initiatives designed for economic and community revitalization and recovery;

(5) faculty recruitment costs;

(6) costs of lost tuition, revenue, and enrollment; and

(7) debt relief.

(e) **REQUIREMENTS FOR ASSISTANCE DUE TO LOSSES.**—A postsecondary educational institution that desires to receive assistance under this section shall—

(1) submit a sworn financial statement and other appropriate data, documentation, or other evidence requested by the Postsecondary Education Stabilization Board, to the Postsecondary Education Stabilization Board that indicates that the institution incurred losses resulting from the impact of Hurricane Katrina or Rita and the monetary amount of such losses; and

(2) demonstrate that the institution attempted to minimize the costs of any losses by pursuing collateral source compensation from the Federal Emergency Management Agency, the Small Business Administration, and insurance prior to seeking assistance under this section.

(f) **AUDIT.**—The Secretary of Education and the Comptroller General of the United States may audit a statement submitted under subsection (e) and may request any information that the Secretary of Education and Comptroller General determine necessary to conduct such an audit.

(g) **REDUCTION IN ASSISTANCE.**—In calculating assistance to a postsecondary educational institution under this section, the Postsecondary Education Stabilization Board shall calculate a figure that reduces from the monetary amount of losses incurred by such institution, only the amount of collateral source compensation the institution has received from insurance, the Federal Emergency Management Agency, and the Small Business Administration.

(h) **REGULATIONS.**—Not later than 14 days after the date of enactment of this section, the Office of Management and Budget, in consultation with the Postsecondary Education Stabilization Board, shall issue regulations setting forth procedures for an application for assistance under this section and minimum requirements for receiving assistance under this section, including the following:

(1) Online forms to be used in submitting requests for assistance

(2) Information to be included in forms.

(3) Procedures to assist in filing and pursuing assistance.

(i) **TAX CONSEQUENCES.**—

(1) NOT INCOME.—Any assistance received by a postsecondary educational institution under this section shall not be treated as income for the purposes of the Internal Revenue Code of 1986.

(2) TAX EXEMPT.—Any Government bond issued to finance the construction of a public or private postsecondary educational institution shall be considered an exempt facility bond for purposes of the Internal Revenue Code of 1986 and shall not be subject to section 146 of such Code.

(j) WAIVERS.—The Secretary of Education may waive any requirements under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) that are rendered infeasible or unreasonable due to the impact of Hurricane Katrina or Rita, including due diligence requirements and reporting deadlines, for an institution of higher education, eligible lender, or other entity participating in a student assistance program under such title that is located in, or whose operations are directly affected by, an area in which the President has declared that a major disaster exists in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Rita.

SA 2248. Ms. LANDRIEU an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

SEC. ____ . FEDERAL TRIO PROGRAMS FOR HURRICANE AFFECTED STUDENTS.

(a) ADDITIONAL AMOUNTS FOR FEDERAL TRIO PROGRAMS.—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$5,000,000 to carry out the Federal TRIO programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq.) for students affected by Hurricanes Katrina or Rita in their respective institution of higher education.

(b) OFFSET FROM DEPARTMENTAL MANAGEMENT FUNDS.—Notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced, on a pro rata basis, by \$5,000,000.

SA 2249. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II (before the short title), add the following:

SEC. ____ . FUNDING FOR COMMUNITY HEALTH CENTERS IN HURRICANE KATRINA OR HURRICANE RITA AFFECTED AREAS.

Notwithstanding any other provision of law, if the amount appropriated under this Act for community health centers is more than the amount appropriated for such centers for fiscal year 2005, then—

(1) 5 percent of such excess amount shall be directed to establishing or expanding community health centers in areas affected by Hurricane Katrina or Hurricane Rita; and

(2) 5 percent of such excess amount shall be directed to community health centers serving patients affected by Hurricane Katrina or Hurricane Rita.

SA 2250. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II (before the short title), add the following:

SEC. ____ . MOSQUITO ABATEMENT FOR SAFETY AND HEALTH ACT.

From amounts appropriated under this Act for the Centers for Disease Control and Prevention for infectious diseases—West Nile Virus, there shall be transferred \$5,000,000 to carry out section 317S of the Public Health Service Act (relating to mosquito abatement for safety and health) with preference given to areas at greater risk of the West Nile Virus because of the effects of Hurricanes Katrina and Rita.

SA 2251. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

SEC. ____ . GRANT PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION AFFECTED BY HURRICANES KATRINA AND RITA.

(a) AUTHORIZATION.—The Secretary of Education shall award grants to eligible institutions of higher education to enable such institutions to carry out the activities described in subsection (d).

(b) DEFINITION OF ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—In this section, the term “eligible institution of higher education” means an institution of higher education that is located in the Hurricanes Katrina and Rita affected area, as determined by the Secretary of Education, and, as a result of such location, has had a disruption of service at the institution.

(c) APPLICATION AND DEMONSTRATION.—An eligible institution of higher education that desires to receive a grant under this section shall—

(1) submit an application to the Secretary of Education at such time, in such manner, and accompanied by such information as the Secretary may reasonably require;

(2) demonstrate the extent to which services at the institution have been disrupted; and

(3) display the need for short-term support.

(d) USE OF FUNDS.—An eligible institution of higher education that receives a grant under this section shall use the grant funds to maintain operations at the institution, including paying salaries of employees of the institution and covering other expenses.

(e) FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of the amounts made available to the Department of Homeland Security under the heading “DISASTER RELIEF” under the heading “EMERGENCY

PREPAREDNESS AND RESPONSE” of Public Law 109–62 (119 Stat. 1991), not less than \$400,000,000 shall be available for grants under this section.

(2) AVAILABLE UNTIL EXPENDED.—The amounts appropriated under paragraph (1) shall remain available until expended.

SA 2252. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____ —ASSISTANCE TO REBUILD AFFECTED COMMUNITIES
SEC. ____ . ASSISTANCE TO SCHOOLS ENROLLING EVACUATED STUDENTS.

(a) PURPOSE.—It is the purpose of this section to provide financial assistance to eligible entities that serve students who are displaced by Hurricane Katrina or Hurricane Rita and enroll in the elementary or secondary schools (including charter schools) served by the eligible entities or in the eligible entities (as the case may be).

(b) PROGRAM AUTHORIZED.—From amounts appropriated under subsection (k), the Secretary of Education shall award grants to eligible entities to enable the eligible entities to award subgrants under subsection (g) and to carry out the activities described in subsection (h).

(c) ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) in Louisiana or Mississippi, a State educational agency;

(2) in a State other than Louisiana or Mississippi, a local educational agency that enrolls a student who is displaced by Hurricane Katrina or Hurricane Rita; or

(3) an elementary school or secondary school funded by the Bureau of Indian Affairs that enrolls a student who is displaced by Hurricane Katrina or Hurricane Rita.

(d) CONDITIONS OF GRANT.—

(1) DURATION OF GRANT.—Each grant awarded under this section shall be for the period beginning on the date of the award and ending on the last day of the 2005–2006 school year.

(2) RETURN OF NON-OBLIGATED FUNDS.—An eligible entity receiving a grant under this section shall return to the Secretary of Education any grant funds that have not been expended or obligated during the grant period.

(e) STUDENT COUNT.—An eligible entity desiring to receive a grant under this section shall—

(1) submit to the Secretary of Education a count of the number of students enrolled in the eligible entity or in the elementary and secondary schools served by the eligible entity (as the case may be) who were displaced by Hurricane Katrina or Hurricane Rita; and

(2) maintain the records necessary to document the student enrollment count under paragraph (1).

(f) AMOUNT OF GRANTS.—

(1) IN GENERAL.—As soon as feasible after receiving an enrollment count described in subsection (e)(1) from an eligible entity, the Secretary of Education shall award a grant in the amount described in paragraph (2) to such eligible entity.

(2) AMOUNT OF GRANTS.—The amount of a grant described in this paragraph shall be equal to the product of—

(A) the number of students enrolled in the eligible entity or in the elementary and secondary schools served by the eligible entity

(as the case may be) who were displaced by Hurricane Katrina or Hurricane Rita; multiplied by

(B) 90 percent of the average per-pupil expenditure for elementary and secondary education in the State in which the eligible entity is located, as determined by the Secretary of Education using data from the most recent year for which satisfactory data are available, except that the amount described in this subparagraph shall not exceed \$7,500.

(3) **RATABLE REDUCTION.**—If the amount appropriated for grants under this section is insufficient to pay the grants to all eligible entities in the amount calculated under paragraph (2), the grants to all eligible entities shall be ratably reduced.

(g) **USE OF FUNDS BY STATE EDUCATIONAL AGENCIES.**—

(1) **IN GENERAL.**—An eligible agency described in subsection (c)(1) that receives a grant under this section shall use grant funds to—

(A) award subgrants, in the amount described in paragraph (2), to local educational agencies within the State that serve students who were displaced by Hurricane Katrina or Hurricane Rita, to enable the local educational agencies to carry out the activities described in subsection (h); and

(B) to carry out the activities described in paragraph (3).

(2) **AMOUNT OF SUBGRANTS.**—The amount of a subgrant made to a local educational agency under paragraph (1)(A) shall be equal to—

(A) the product of—

(i) the average per-pupil expenditure for elementary and secondary education in the local educational agency; multiplied by

(ii) the number of students enrolled in schools served by the local educational agency who were displaced by Hurricane Katrina or Hurricane Rita; or

(B) an amount calculated by an alternate methodology, if the use of such methodology is approved by the Secretary of Education.

(3) **USE OF REMAINING FUNDS.**—From any grant funds awarded to an eligible agency described in subsection (c)(1) that remain after the eligible agency has awarded subgrants in accordance with paragraph (1), the eligible agency may use such remaining funds to carry out activities that assist local educational agencies serving schools that are closed as a result of Hurricane Katrina or Hurricane Rita, in order to reopen such schools as quickly and effectively as possible. Such activities may include—

(A) arranging for the temporary facilities necessary to operate educational programs while permanent facilities are being rebuilt or repaired;

(B) purchasing equipment and materials to replace those items destroyed or damaged by Hurricane Katrina or Hurricane Rita;

(C) paying the cost of student transportation;

(D) recruiting or retraining teachers or other school personnel to serve in reopened schools; and

(E) providing nonfinancial assistance to students and their families when such students return to the areas affected by Hurricane Katrina or Hurricane Rita or reenroll in schools that are affected by Hurricane Katrina or Hurricane Rita.

(h) **USES OF FUNDS BY BUREAU OF INDIAN AFFAIRS SCHOOLS AND LOCAL EDUCATIONAL AGENCIES.**—An eligible entity described in paragraph (2) or (3) of subsection (c) that receives a grant under this section, or a local educational agency that receives a subgrant under subsection (g)(1), shall use the grant funds to pay for the costs related to educating students enrolled in the schools served by the eligible entity or in the eligi-

ble entity (as the case may be), which costs may include—

(1) teacher and staff salaries;

(2) building maintenance;

(3) materials and equipment;

(4) student transportation;

(5) special services and instruction, such as—

(A) English language acquisition services and programs for students with limited English proficiency;

(B) services for children with disabilities; and

(C) mental health counseling for children displaced by Hurricane Katrina or Hurricane Rita;

(6) after-school programs;

(7) supplemental educational services; and

(8) early childhood programs.

(i) **ACCOUNTABILITY.**—An eligible entity that receives a grant under this section shall take appropriate measures to ensure the proper use of, and accounting for, all grant funds received by the eligible entity under this section.

(j) **EXPIRATION OF AUTHORITY.**—On June 30, 2006, the authority described in subsection (b) shall expire and all funds under this section that are not expended or obligated by such date shall be transferred to the general fund of the Treasury.

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$1,860,000,000 for fiscal year 2006.

SEC. —. ASSISTANCE FOR THE ENROLLMENT OF EVACUATED STUDENTS IN PRIVATE SCHOOLS.

(a) **AUTHORITY.**—From funds appropriated under subsection (j), the Secretary of Education shall make one-time, emergency grants to State educational agencies to enable the State educational agencies to reimburse the parents or guardians of students who were displaced by Hurricane Katrina or Hurricane Rita and who are attending a private school in the State that is accredited or licensed or otherwise operates in accordance with State law.

(b) **LENGTH OF GRANT.**—

(1) **DURATION OF GRANT.**—Each emergency grant awarded under this section shall be for the period beginning on the date of the award and ending on the last day of the 2005–2006 school year.

(2) **RETURN OF NON-OBLIGATED FUNDS.**—Each State educational agency that receives a grant under this section shall return to the Secretary of Education any grant funds that have not been expended or obligated during the grant period.

(c) **APPLICATIONS.**—A State educational agency that desires to receive an emergency grant under this section shall submit an application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary may require, including—

(1) the number of students who were displaced by Hurricane Katrina or Hurricane Rita and whose parents or guardians the State educational agency expects to reimburse under this section; and

(2) a detailed description of the procedures the State educational agency plans to use—

(A) to provide reimbursements to the parents or guardians of the displaced students described in paragraph (1); and

(B) to ensure fiscal accountability for any funds received by the State educational agency under this section.

(d) **AMOUNT OF GRANTS.**—

(1) **IN GENERAL.**—For each State educational agency, the amount of an emergency grant under this section shall be equal to the product of—

(A) the number of students who were displaced by Hurricane Katrina or Hurricane

Rita and whose parents or guardians will be reimbursed by the State educational agency, as determined by the Secretary of Education; multiplied by

(B) 90 percent of the average per-pupil expenditure for elementary and secondary education in the State, as determined by the Secretary of Education using data from the most recent year for which satisfactory data are available, except that the amount described in this subparagraph shall not exceed \$7,500.

(2) **RATABLE REDUCTION.**—If the amount appropriated for emergency grants under this section is insufficient to pay the emergency grants to all State educational agencies in accordance with paragraph (1), the emergency grants to all State educational agencies shall be ratably reduced.

(e) **USES OF FUNDS.**—Each State educational agency receiving an emergency grant under this section—

(1) shall use the grant funds to provide reimbursements, once per semester (or lesser portion of the school year, if the State so decides), directly to the parents or guardians of the displaced students, for the cost of those students' tuition, fees, and transportation expenses, if any, at any private school of the parents' or guardians' choice in the State for that semester (or lesser period), in accordance with subsection (f);

(2) shall ensure that a parent or guardian who receives funds under this section use those funds only for the purposes described in paragraph (1);

(3) may use not more than 1 percent of the grant funds for the administrative expenses of carrying out this subsection; and

(4) may contract with a public or private nonprofit agency or entity to administer and operate the reimbursement program under this subsection.

(f) **AMOUNT OF PAYMENTS TO PARENTS OR GUARDIANS.**—

(1) **IN GENERAL.**—The maximum reimbursement that a State educational agency may provide to an eligible parent or guardian on behalf of a student who is displaced by Hurricane Katrina or Hurricane Rita under this section shall be equal to the amount described in subsection (d)(1)(B).

(2) **ELIGIBILITY REQUIREMENTS FOR REIMBURSEMENT.**—

(A) **CRITERIA FOR ENROLLING SCHOOLS.**—A parent of a student who is displaced by Hurricane Katrina or Hurricane Rita is eligible for a reimbursement by the State educational agency under subsection (e) if the private school in which the parent enrolls the student—

(i) is accredited or licensed or otherwise operates in accordance with State law; and

(ii) has in place a refund policy for the refund of tuition and fees (and transportation expenses, if any) for displaced students that is at least as favorable as the refund policy applicable to other students at the school.

(B) **CRITERIA FOR PARENTS OR GUARDIANS.**—In addition to the requirements of subparagraph (A), the Secretary of Education shall establish criteria, which may include the use of criteria involving family income or assets, to determine the eligibility for or amount of assistance provided under this section to a parent or guardian of a student who is displaced by Hurricane Katrina or Hurricane Rita.

(g) **BY-PASS.**—If a State educational agency is unable or unwilling to carry out this section, the Secretary of Education may make such arrangements as the Secretary determines appropriate to carry out this section on behalf of the students attending private schools in such State who are displaced by Hurricane Katrina or Hurricane Rita.

(h) **RULE OF CONSTRUCTION.**—Section 308 of the DC School Choice Incentive Act of 2003

(Public Law 108-199) shall apply to the program under this section in the same manner as such section applies to the program under such Act.

(i) **EXPIRATION OF AUTHORITY.**—On June 30, 2006, the authority described in subsection (a) shall expire and all grant funds that are not expended or obligated by such date shall be transferred to the general fund of the Treasury.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$488,000,000 for fiscal year 2006.

SEC. ____ . IMMEDIATE AID TO RESTART EDUCATIONAL OPERATIONS.

(a) **PURPOSE.**—It is the purpose of this section—

(1) to provide immediate services or assistance to institutions of higher education, local educational agencies, and eligible private schools that serve an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita;

(2) to assist school district administrators and personnel of such institutions, agencies, or eligible private schools who are working to restart operations; and

(3) to facilitate the reopening of the institutions, elementary schools and secondary schools served by such agencies, or eligible private schools and the enrollment of students in such institutions or schools as soon as possible.

(b) **PAYMENTS AUTHORIZED.**—From amounts appropriated to carry out this section, the Secretary of Education is authorized to make payments to State educational agencies or State agencies for higher education that serve an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita, to enable such agencies to—

(1) restart schools located in an area in which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita;

(2) provide assistance to institutions of higher education located in such an area; and

(3) provide assistance to eligible private schools in accordance with subsection (c).

(c) **ASSISTANCE TO ELIGIBLE PRIVATE SCHOOLS.**—

(1) **IN GENERAL.**—From the payments provided by the Secretary of Education under subsection (b) and after timely and meaningful consultation with appropriate private school officials, a State educational agency that serves an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita, shall provide to eligible private schools special educational services or benefits for the students served by such eligible private schools on the equitable basis described in paragraph (3).

(2) **SECULAR, NEUTRAL, NONIDEOLOGICAL.**—The educational services or other benefits provided under paragraph (1), including materials and equipment, shall be secular, neutral, and nonideological.

(3) **EQUITY.**—Educational services and other benefits provided for eligible private school students under paragraph (1) shall be equitable in comparison to the educational services and other benefits provided for public school students under this section.

(4) **PUBLIC CONTROL OF FUNDS.**—The control of funds provided to an eligible private

school under paragraph (1), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property.

(d) **SUPPLEMENT NOT SUPPLANT.**—Funds made available under this section shall be used to supplement, and not supplant, any funds made available through the Federal Emergency Management Agency or through a State.

(e) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE PRIVATE SCHOOL.**—The term “eligible private school” means a private elementary or secondary school that desires to participate in the program under this section and is located in an area in which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita.

(2) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$1,000,000,000 for fiscal year 2006.

SEC. ____ . FUNDING.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, of the amounts made available to the Department of Homeland Security under the heading “DISASTER RELIEF” under the heading “EMERGENCY PREPAREDNESS AND RESPONSE” of Public Law 109-62 (119 Stat. 1991), not less than \$3,300,000,000 shall be available to the heads of the appropriate departments or agencies of the Federal Government to carry out the programs and activities authorized under this title.

(b) **AVAILABLE UNTIL EXPENDED.**—The amounts appropriated under subsection (a) shall remain available until expended.

SA 2253. Mr. GREGG (for himself and Mr. GRASSLEY) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 158, strike lines 12 through 21 and insert the following:
bus Budget Reconciliation Act of 1981, \$3,159,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$300,000,000, to remain available until expended: *Provided*, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISION—REDUCTION AND RESCISSION

SEC. ____ . (a) Amounts made available in this Act, not otherwise required by law, are reduced by 0.92 percent.

(b) The reduction described in subsection (a) shall not apply to amounts made available under this Act—

(1) for the account under the heading “LOW-INCOME HOME ENERGY ASSISTANCE”; or

(2) for the account under the heading “REFUGEE AND ENTRANT ASSISTANCE” (with respect to amounts designated as emergency requirements).

SEC. ____ . (a) There is rescinded an amount equal to 0.92 of the budget authority provided in any prior appropriation Act for fiscal year 2006, for any discretionary account described in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account described in subsection (a) to the extent that it relates to budget authority described in subsection (a), and to each item of budget authority described in subsection (a); and

(2) within each such account or item, to each program, project, and activity (as delineated in the appropriation Act or accompanying report for the relevant fiscal year covering such account or item).

(c) The rescission described in subsection (a) shall not apply to budget authority provided as described in subsection (a)—

(1) for the account under the heading “LOW-INCOME HOME ENERGY ASSISTANCE”; or

(2) for the account under the heading “REFUGEE AND ENTRANT ASSISTANCE” (with respect to amounts designated as emergency requirements).

SA 2254. Mr. DODD (for himself, Mr. KENNEDY, Mrs. CLINTON, Mrs. MURRAY, Mr. KERRY, Mr. LAUTENBERG, Mr. CORZINE, Mr. DURBIN, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, line 1, strike “\$9,000,832,000” and insert “\$9,153,832,000”.

On page 162, line 7, strike “\$6,874,314,000” and insert “\$7,027,314,000”.

SA 2255. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

SEC. ____ . ADDITIONAL FUNDING FOR THE MATHEMATICS AND SCIENCE PARTNERSHIPS PROGRAM.

In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$271,440,000 for the mathematics and science partnerships program.

SA 2256. Mr. OBAMA (for himself, Mr. BYRD, Mr. BAYH, Ms. MIKULSKI, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ . Amounts appropriated in this Act for the Centers for Disease Control and Prevention to upgrade State and local capacity grants and cooperative agreements for

pandemic flu preparedness activities shall be increased by \$122,000,000.

SA 2257. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

SEC. 517. None of the funds made available in this Act may be used by the Secretary of Health and Human Services to withhold, suspend, disallow, or otherwise deny Federal financial participation under section 1903(a) of the Social Security Act for adult day health care services or medical adult day care services, as defined under a State medicaid plan approved on or before 1982, if such services are provided consistent with such definition and the requirements of such plan, or to withdraw Federal approval of any such State plan provision. Notwithstanding any other provision of law, the preceding sentence shall apply without fiscal year limitation.

SA 2258. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. ____. **DEFINITION OF INDIAN STUDENT COUNT.**

Section 117(h) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2327(h)) is amended by striking paragraph (2) and inserting the following:

“(2) INDIAN STUDENT COUNT.—

“(A) IN GENERAL.—The term ‘Indian student count’ means a number equal to the total number of Indian students enrolled in each tribally-controlled postsecondary vocational and technical institution, as determined in accordance with subparagraph (B).

“(B) DETERMINATION.—

“(i) ENROLLMENT.—For each academic year, the Indian student count shall be determined on the basis of the enrollments of Indian students as in effect at the conclusion of—

“(I) in the case of the fall term, the third week of the fall term; and

“(II) in the case of the spring term, the third week of the spring term.

“(ii) CALCULATION.—For each academic year, the Indian student count for a tribally-controlled postsecondary vocational and technical institution shall be the quotient obtained by dividing—

“(I) the sum of the credit-hours of all Indian students enrolled in the tribally-controlled postsecondary vocational and technical institution (as determined under clause (i)); by

“(II) 12.

“(iii) SUMMER TERM.—Any credit earned in a class offered during a summer term shall be counted in the determination of the Indian student count for the succeeding fiscal term.

“(iv) STUDENTS WITHOUT SECONDARY SCHOOL DEGREES.—

“(I) IN GENERAL.—A credit earned at a tribally-controlled postsecondary vocational and

technical institution by any Indian student who has not obtained a secondary school degree (or the recognized equivalent of such a degree) shall be counted toward the determination of the Indian student count if the institution at which the student is enrolled has established criteria for the admission of the student on the basis of the ability of the student to benefit from the education or training of the institution.

“(II) PRESUMPTION.—The institution shall be presumed to have established the criteria described in subclause (I) if the admission procedures for the institution include counseling or testing that measures the aptitude of a student to successfully complete a course in which the student is enrolled.

“(III) CREDITS TOWARD SECONDARY SCHOOL DEGREE.—No credit earned by an Indian student for the purpose of obtaining a secondary school degree (or the recognized equivalent of such a degree) shall be counted toward the determination of the Indian student count under this clause.

“(v) CONTINUING EDUCATION PROGRAMS.—Any credit earned by an Indian student in a continuing education program of a tribally-controlled postsecondary vocational and technical institution shall be included in the determination of the sum of all credit hours of the student if the credit is converted to a credit-hour basis in accordance with the system of the institution for providing credit for participation in the program.”.

SA 2259. Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. In addition to amounts provided in this title for the AIDS Drug Assistance Program within the Health Resources and Services Administration, there shall be appropriated an additional \$74,000,000 for such program.

SA 2260. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) This section may be cited as the “Diversity Visa Fairness Act of 2005”.

(b)(1) Section 204(a)(1)(I)(ii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)(ii)) is amended by striking subclause (II) and inserting the following:

“(II) An alien who qualifies, through random selection, for a visa under section 203(c) or adjustment of status under section 245(a) shall remain eligible to receive such visa or adjustment of status beyond the end of the specific fiscal year for which the alien was selected if the alien—

“(aa) properly applied for such visa or adjustment of status during the fiscal year for which the alien was selected; and

“(bb) was notified by the Secretary of State, through the publication of the Visa Bulletin, that the application was authorized.”.

(2)(A) Notwithstanding any other provision of law, a visa shall be available for an alien under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) if—

(i) such alien was eligible for and properly applied for an adjustment of status under section 245 of such Act (8 U.S.C. 1255) during any of the fiscal years 1998 through 2005;

(ii) the application submitted by such alien was denied because personnel of the Department of Homeland Security or the Immigration and Naturalization Service failed to adjudicate such application during the fiscal year in which such application was filed;

(iii) such alien moves to reopen such adjustment of status applications pursuant to procedures or instructions provided by the Secretary of Homeland Security or the Secretary of State; and

(iv) such alien has continuously resided in the United States since the date of submitting such application.

(B) A visa made available under subparagraph (A) may not be counted toward the numerical maximum for the worldwide level of set out in section 201(e) of the Immigration and Nationality Act (8 U.S.C. 1151(e)).

(3) The amendment made by paragraph (1) shall take effect on October 1, 2005.

SA 2261. Mr. COLEMAN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. _____. (a) There is established the Federal Youth Development Council (in this section referred to as the “Council”) composed of—

(1) the Attorney General, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Health and Human Services, Secretary of Housing and Urban Development, the Secretary of Education, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Director of National Drug Control Policy, the Director of the Office of Management and Budget, the Assistant to the President for Domestic Policy, the Director of the U.S.A. Freedom Corps, the Deputy Assistant to the President and Director of the Office of Faith-Based and Community Initiatives, and the Chief Executive Officer of the Corporation for National and Community Service, and other Federal officials as directed by the President, to serve for the life of the Council; and

(2) such additional members as the President, in consultation with the majority and minority leadership of the House of Representatives and the Senate, shall appoint from among representatives of faith-based organizations, community based organizations, child and youth focused foundations, universities, non-profit organizations, youth service providers, State and local government, and youth in disadvantaged situations, to serve for terms of 2 years and who may be reappointed by the President for a second 2-year term.

(b) The Chairperson of the Council shall be designated by the President.

(c) The Council shall meet at the call of the Chairperson, not less frequently than 4 times each year. The first meeting shall be not less than 6 months after the date of enactment of this Act.

(d) The duties of the Council shall be—

(1) to ensure communication among agencies administering programs designed to

serve youth, especially those in disadvantaged situations;

(2) to assess the needs of youth, especially those in disadvantaged situations, and those who work with youth, and the quantity and quality of Federal programs offering services, supports, and opportunities to help youth in their educational, social, emotional, physical, vocational, and civic development;

(3) to set objectives and quantifiable 5-year goals for such programs;

(4) to make recommendations for the allocation of resources in support of such goals and objectives;

(5) to identify target populations of youth who are disproportionately at risk and assist agencies in focusing additional resources on them;

(6) to develop a plan, including common indicators of youth well-being, and assist agencies in coordinating to achieve such goals and objectives;

(7) to assist Federal agencies, at the request of one or more such agency, in collaborating on model programs and demonstration projects focusing on special populations, including youth in foster care, migrant youth, projects to promote parental involvement, and projects that work to involve young people in service programs;

(8) to solicit and document ongoing input and recommendations from—

(A) youth, especially those in disadvantaged situations, by forming an advisory council of youth to work with the Council;

(B) national youth development experts, parents, faith and community-based organizations, foundations, business leaders, youth service providers, and teachers;

(C) researchers; and

(D) State and local government officials; and

(9) to work with Federal agencies to conduct high-quality research and evaluation, identify and replicate model programs, and provide technical assistance, and, subject to the availability of appropriations, to fund additional research to fill identified needs.

(e)(1) The Chairperson, in consultation with the Council, shall employ and set the rate of pay for a Director and any necessary staff to assist in carrying out its duties.

(2) Upon request of the Council, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist it in carrying out its duties under this section.

(f)(1) The Council may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(2) Upon the request of the Council, the Administrator of General Services shall provide to the Council, on a reimbursable basis, the administrative support services necessary for the Council to carry out its responsibilities under this section.

(g)(1) Subject to the availability of appropriations, the Council may provide technical assistance and make grants to States to support State councils for coordinating State youth efforts.

(2) Applicants for grants shall be States. Applications for grants under this subsection shall be submitted at such time and in such form as determined by the Council.

(3) Priority for grants will be given to States that—

(A) have already initiated an interagency coordination effort focused on youth;

(B) plan to work with at least 1 locality to support a local youth council for coordinating local youth efforts;

(C) demonstrate the inclusion of nonprofit organizations, including faith-based and community-based organizations, in the work of the State council; and

(D) demonstrate the inclusion of young people, especially those in disadvantaged situations, in the work of the State council.

(h) Not later than 1 year after the Council holds its first meeting, and on an annual basis for a period of 4 years thereafter, the Council shall transmit to the President and to Congress a report of the findings and recommendations of the Council. The report shall—

(1) include a comprehensive compilation of recent research and statistical reporting by various Federal agencies on the overall wellbeing of youth;

(2) include the assessment of the needs of youth and those who serve them, the goals and objectives, the target populations of at-risk youth, and the plan called for in subsection (d);

(3) report on the link between quality of service provision, technical assistance and successful youth outcomes and recommend ways to coordinate and improve Federal training and technical assistance, information sharing, and communication among the various programs and agencies serving youth;

(4) include recommendations to better integrate and coordinate policies across agencies at the Federal, State, and local levels, including recommendations for legislation and administrative actions;

(5) include a summary of actions the Council has taken at the request of Federal agencies to facilitate collaboration and coordination on youth serving programs and the results of those collaborations, if available; and

(6) include a summary of the input and recommendations from the groups identified in subsection (d)(8).

(i) The Council shall terminate 60 days after transmitting its fifth and final report pursuant to subsection (h).

(j) There is authorized to be appropriated for fiscal years 2006 through 2010 such sums as may be necessary to carry out this section.

SA 2262. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. ____ INCREASED FUNDING FOR EDUCATION PROGRAMS SERVING HISPANIC STUDENTS.

(a) **MIGRANT EDUCATION.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$9,600,000 for the education of migratory children under part C of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6391 et seq.).

(b) **ENGLISH LANGUAGE ACQUISITION.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$10,300,000 for English language acquisition programs under part A of title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6811 et seq.).

(c) **HEP/CAMP.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$5,700,000 for the High School Equivalency Program and the College Assist-

ance Migrant Program under section 418A of the Higher Education Act of 1965 (20 U.S.C. 1070d-2).

(d) **SCHOOL DROPOUT PREVENTION.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$5,000,000 for school dropout prevention programs under part H of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6551 et seq.).

(e) **ESL/CIVICS PROGRAMS.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$6,500,000 for English as a second language programs and civics education programs under the Adult Education Act (20 U.S.C. 9201 et seq.).

(f) **PARENT ASSISTANCE AND LOCAL FAMILY INFORMATION CENTERS.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$13,000,000 for the Parent Assistance and Local Family Information Centers under subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7273 et seq.).

(g) **HISPANIC-SERVING INSTITUTIONS.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$9,900,000 for Hispanic-serving institutions under title V of the Higher Education Act of 1965 (20 U.S.C. 1101 et seq.).

SA 2263. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available under this Act to carry out the Energy Employees Occupational Illness Compensation Program Act may be used for the Advisory Board on Radiation and Worker Health unless—

(1) the Advisory Board, in order to improve the radiation dose reconstruction program carried out by the Office of Compensation and Analysis Support of the National Institute of Occupational Safety and Health, and to promptly correct identified quality problems through the audit process of the Advisory Board, promptly develops a formal comment resolution process with a process for the tracking of findings and issues;

(2) the Advisory Board reviews and acts on site profile and dose reconstruction audit reports supplied by the Advisory Board's audit contractor within 90 days of the date on which such audit reports are received; and

(3) the National Institute on Occupational Safety and Health prepares and submits a corrective action plan with specific deadlines within 90 days of the action of the Advisory Board under paragraph (2).

SA 2264. Mr. COLEMAN (for himself and Mr. BAYH) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 156, line 2, insert before the period the following: “: *Provided further*, That the Secretary of Health and Human Services shall publish in the Federal Register, not later than 30 days after the date of enactment of this Act, a notice of intent that adoption of ICD-10-CM and ICD-10-PCS will occur not later than October 1, 2006, and that compliance with such coding systems will be required with respect to transactions occurring on or after October 1, 2009: *Provided further*, That the Secretary shall take such steps as may be necessary to ensure that procedure codes are promptly available for assignment and use under ICD-9-CM until such time as such ICD-9-CM is replaced as a code set standard with ICD-10-PCS”.

SA 2265. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. From amounts appropriated under this title, the Secretary of Health and Human Services shall make available \$5,000,000 to fund grants for innovative programs to address dental workforce needs under section 340G of the Public Health Service Act (42 U.S.C. 246g). Amounts made available under this section shall be transferred from the General Departmental Management account under the heading Office of the Secretary.

SA 2266. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. From amounts appropriated under this title, the Secretary of Health and Human Services shall make available \$5,000,000 to fund grants for innovative programs to address dental workforce needs under section 340G of the Public Health Service Act (42 U.S.C. 246g). Amounts made available under this section shall be transferred from the amount provided as administrative funds for the Centers for Medicare & Medicaid Services under the heading Program Management.

SA 2267. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. From amounts appropriated under this title, the Secretary of Health and Human Services shall make available \$5,000,000 to fund grants for innovative pro-

grams to address dental workforce needs under section 340G of the Public Health Service Act (42 U.S.C. 246g).

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, November 3, 2005 at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of:

Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, Department of Energy.

Edward F. Sproat, III, of Pennsylvania, to be Director, Office of Civilian Radioactive Waste Management, Department of Energy.

For further information, please contact Judy Pensabene of the committee staff at (202) 224-1327.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 25, 2005, at 9:30 a.m., in open session to consider the following nominations: Honorable John J. Young, Jr., to be Director of Defense Research and Engineering; Mr. J. Dorrance Smith, to be Assistant Secretary of Defense for Public Affairs; Dr. Delores M. Etter, to be Assistant Secretary of the Navy for Research, Development and Acquisition; General Burwell B. Bell, III, USA, for reappointment to the grade of General and to be Commander, United Nations Command/Combined Forces Command, and Commander, United States Forces Korea; and Lieutenant General Lance L. Smith, USAF, for appointment to the grade of General and to be Commander, United States Joint Forces Command and Supreme Allied Commander transformation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 25, 2005, at 10 a.m., to conduct a hearing on the nomination of Mr. Matthew Slaughter, of New Hampshire, to be a member of the Council of Economic Advisers; Ms. Katherine Baicker, of New Hampshire, to be a member of the Council of Economic Advisers; Mr. Orlando J. Cabrera, of Florida, to be an Assistant Secretary

of Housing and Urban Development; Ms. Gigi Hyland, of Virginia, to be a member of the National Credit Union Administration Board; and Mr. Rodney E. Hood, of North Carolina, to be a member of the National Credit Union Administration Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, October 25, 2005, at 10 a.m. The purpose of this hearing is to receive testimony on S. 1829, to repeal certain sections of the act of May 26, 1936, pertaining to the Virgin Islands; S. 1830, to amend the compact of Free Association Amendments Act of 2003, and for other purposes; and S. 1831, to convey certain submerged land to the Commonwealth of the Northern Mariana Islands, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open Executive Session during the session on Tuesday 25, 2005, at 9:30 a.m., to conduct a markup to achieve the Committee's budget reconciliation instructions to reduce the growth of outlays as contained in H. Con. Res. 95.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, October 25, 2005, at 9:30 a.m. to hold a hearing on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, October 25, 2005, at 2:15 p.m. to hold a Business Meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “Saudi Arabia: Friend or Foe in the War on Terror?” on Tuesday, October 25, 2005 at 9:30 a.m. in the Dirksen Senate Office Building Room 226.

Witness List

Presentation

Yigal Carmon, Middle East Media Research Institute, Washington, DC; Presentation on Saudi Television.

Panel I: Daniel Glaser, Deputy Assistant Secretary for Terrorist Financing and Financial Crimes, United

States Department of the Treasury, Washington, DC; and Alan Misenheimer, Director of Arabian Peninsula and Iran Affairs, United States Department of State, Washington, DC.

Panel II: James Woolsey, Vice President of Booz Allen, Former Director, Central Intelligence Agency, Washington, DC; Nina Shea, Director, Center for Religious Freedom, Washington, DC; Steve Emerson, Terrorism Expert and Executive Director, Investigative Project on Terrorism, Washington, DC; Gulam Bakali, Islamic Association of North Texas, Board of Trustees, Richardson, TX; and Kamal Nawash, President, Free Muslim Coalition Against Terrorism, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Tuesday, October 25, 2005, at 2:30 p.m. for a hearing regarding "Guns and Butter: Setting Priorities in Federal Spending in the Context of Natural Disaster, Deficits and War."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that privilege of the floor be granted to Caroline Burke during consideration of this legislation, as well as votes that may occur.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask unanimous consent that David McClendon, Health fellow to Senator COCHRAN, be granted the privilege of the floor during debate on the fiscal year 2006 Labor-HHS appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that William Viner be granted the privilege of the floor during the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Ari Strauss, who is legislative director of the Northeast-Midwest Coalition, for the duration of the debate on the LIHEAP amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LIFE OF AND EXPRESSING CONDOLENCES OF THE SENATE ON THE PASSING OF ROSA PARKS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of S. Res. 287, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 287) honoring the life of and expressing the condolences of the Senate on the passing of Rosa Parks.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEVIN. Mr. President, last evening, we lost Rosa Parks. She died at the age of 92. Her personal bravery and self-sacrifice have shaped this Nation's history and she is remembered with reverence and respect by us all.

A half century ago, Rosa Parks, the black seamstress whose refusal to give up her seat on a Montgomery, AL bus to a white man sparked a revolution in American race relations. Rosa Parks decided that she would no longer tolerate the humiliation and demoralization of racial segregation on a bus. In her own words, Rosa Parks said, "People always say that I didn't give up my seat because I was tired, but that isn't true. I was not tired physically, or no more tired than I usually was at the end of a working day. I was not old, although some people have an image of me as being old then. I was forty-two. No, the only tired I was, was tired of giving in."

The strength and spirit of this courageous woman captured the consciousness of not only the American people but the entire world. Rosa Parks's arrest for violating the city's segregation laws was the catalyst for the Montgomery bus boycott. Her stand on that December day in 1955 was not an isolated incident but part of a lifetime of struggle for equality and justice. Twelve years earlier, in 1943, Rosa Parks had been arrested for violating another one of the city's bus related segregation laws requiring blacks to pay their fares at the front of the bus, then get off of the bus and reboard from the rear of the bus. The driver of that bus, was the same driver with whom she would have her confrontation years later.

The rest is history; the boycott which Rosa Parks began was the beginning of an American revolution that elevated that status of African Americans nationwide and introduced to the world a young leader who would one day have a national holiday declared in his honor, the Reverend Martin Luther King, Jr.

For her personal bravery and self-sacrifice, in 1999, we honored Rosa Parks with the Congressional Gold Medal.

My home State of Michigan proudly claims Rosa Parks as one of our own. Rosa Parks and her husband Raymond made the journey to Detroit in 1957 where Rosa Parks's brother resided. In the years since, she continued to dedicate her life to advancing equal opportunity and to educating our youth about the past struggles for freedom,

from slavery up to the civil rights movement of the 1960s.

In 1987, the Rosa and Raymond Parks Institute for Self-Development was established. Its primary focus has been working with young people from across the country and the world as part of the "Pathways to Freedom" program. The pathways program traces history from the days of the underground railroad to the civil rights movement of the 1960s and beyond. Through this institute, young people, ages 11 to 17, meet with national leaders and participate in a variety of educational and research projects. During the summer months, they have the opportunity to travel across the country visiting historical sites.

The Rosa and Raymond Parks Institute for Self-Development has expanded to include an intergenerational mentoring and computer skills partnership program, which teams young people with elderly Americans. Generational and age barriers break down as young people help the elderly develop computer skills, while the elderly provide their unique and personalized recollections of their lives in American history. To date, over 10,000 youth from around the world have participated in this program.

With the work of her institute, we can truly say that in addition to having played a major role in shaping America's past and present, Rosa Parks is continuing to help shape America's future.

Mr. President, I close with the profound, instructive words of Rosa Parks, which she spoke in 1988. She said: "I am leaving this legacy to all of you . . . to bring peace, justice, equality, love and a fulfillment of what our lives should be. Without vision, the people will perish, and without courage and inspiration, dreams will die—the dream of freedom and peace."

Mr. MCCONNELL. Mr. President, one of the honors and duties of serving in the United States Senate is to note the passing of great Americans and to recognize their greatness. Last night, Rosa Parks died in her home in Detroit. She was 92 years old.

Rosa Parks did not set out to become a hero on the evening of December 1, 1955. She was, like millions of other Americans, merely on her way home after a long day's work.

She was a seamstress in Montgomery, AL, but her simple, profound act of civil disobedience was the spark that ignited the modern civil rights movement. For far too many African Americans at that time America did not live up to its promise that "all men are created equal." Thanks to Rosa Parks, America was forced to look at itself in the mirror, admit its failing, and recommit itself to its founding ideals.

Dr. Martin Luther King once wrote that "human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men." This is the story of one such effort.

Rosa Parks was heading home that winter night on the Montgomery city bus system, which was segregated. Front row seats were reserved for White passengers. Blacks were restricted to the back of the bus and sometimes the middle of the bus. But if a White passenger demanded a Black person give up his or her seat, that Black person was required to do so.

On that first day in December, the White bus driver demanded that four African Americans give up their seats so a single White man could sit down. Three of them complied.

Rosa didn't.

"If you don't stand up I'm going to call the police and have you arrested," said the driver.

But Rosa Parks had had enough of the evil divisions of segregation, and she replied to the driver, "You may do that."

With this simple refusal, Rosa Parks set into motion a crusade that would eventually awaken the conscience of our country. Perhaps the time was right for a nation like America to erase the stain of segregation. But it was not inevitable that the struggle would start on that day in that town, lit by one woman's courage and conviction.

Nor was it inevitable that Mrs. Parks took her stand in a town that counted among its residents a 26-year-old preacher named Martin Luther King, Jr. In response, Dr. King became the leader of the local bus boycott. Over time, as we all know, he led America's civil rights movement to overcome the injustices that robbed millions of our fellow citizens of their full rights as Americans.

Rosa Parks' life proved that one American with courage can make a majority. We note her passing with sadness but also with deep gratitude for the gift she left all of us.

Mr. REID. Mr. President, yesterday, our Nation lost one of our heroes, Rosa Parks—the mother of the modern civil rights movement. The movement that she helped launch changed not only our country but the entire world, as her actions gave hope to every individual fighting for civil and human rights.

While history proudly remembers December 1, 1955, as Rosa Parks' bravest moment, her fight against oppression and segregation began long before that day. Mrs. Parks was active in the Montgomery NAACP, serving as secretary and as an adviser to the NAACP's Youth Council. She also worked to register African Americans to vote and was active in many other civil rights causes. While it was her act of defiance in 1955 that garnered national attention, she had been thrown off a bus 12 years earlier—by the same driver—for refusing to move. Why was she thrown off the bus? Even then, she refused to give up her seat.

Rosa Parks' bravery triggered the Montgomery bus boycott. The boycott gained national attention, ushered in an atmosphere of change, and was the precursor to landmark legislation—

most importantly, the Civil Rights Act and the Voting Rights Act. Eventually, the issue of segregation and Montgomery's bus policy ended up in the Supreme Court—another reminder of how important the institution is in protecting the rights of every American.

And we should not forget something else. The boycott introduced the Nation to a young minister, a Baptist preacher named Dr. Martin Luther King, Jr.

While the Nation will miss Rosa Parks, we take heart in the fact that her legacy will be felt by generations to come. As Senators, all of us have a special responsibility when it comes to the legacy of Rosa Parks. It is not enough for us to celebrate her life with words. As leaders of this country, we must honor it with deeds, deeds that continue the fight Rosa Parks began almost 50 years ago.

Specifically, we must reauthorize the Voting Rights Act, which has opened the doors of political participation to countless Americans. We must work to increase educational opportunities so that all young people have a chance for a better life. We must ensure that our policies build a better America for the meek and vulnerable, not only the powerful and strong. This work is how we will truly celebrate the life of Rosa Parks. All of us in this Chamber have it in our power to further the fight she began, and we owe it to every American to ensure her legacy endures.

Mr. OBAMA. Mr. President, today the Nation mourns a genuine American hero. Rosa Parks died yesterday in her home in Detroit. Through her courage and by her example, Rosa Parks helped lay the foundation for a country that could begin to live up to its creed.

Her life, and her brave actions, reminded each and every one of us of our personal responsibilities to stand up for what is right and the central truth of the American experience that our greatness as a nation derives from seemingly ordinary people doing extraordinary things.

Rosa Parks' life was a lesson in perseverance. As a child, she grew up listening to the Ku Klux Klan ride by her house, fearing that her house would be burned down. In her small hometown in Alabama, she attended a one-room school for African American children that only went through the sixth grade. When she moved to Montgomery, AL, to continue her schooling, she was forced to clean classrooms after school to pay her tuition. Although she attended Alabama State Teachers College, Rosa Parks would later make her living as a seamstress and housekeeper.

But she didn't accept that her opportunities were limited to sewing clothes or cleaning houses. In her 40s, Rosa Parks was appointed secretary of the Montgomery branch of the NAACP and was active in voter registration drives with the Montgomery Voters League. In the summer of 1955, she attended the Highlander Folk School, where she

took classes in workers' rights and racial equality. Well before she made headlines across the country, she was a highly respected member of the Montgomery community and a committed member of the civil rights effort.

Of course, her name became permanently etched in American history on December 1, 1955, when she was arrested for refusing to give up her seat to a white passenger on a Montgomery bus. It wasn't the first time Rosa Parks refused to acquiesce to the Jim Crow system. The same bus driver who had her arrested had thrown her off a bus the year before for refusing to give up her seat.

Some schoolchildren are taught that Rosa Parks refused to give up her seat because her feet were tired. But our Nation's schoolbooks are only getting it half right. She once said:

The only tired I was, was tired of giving in.

This solitary act of civil disobedience became a call to action. Her arrest led a then relatively unknown pastor, Martin Luther King, Jr., to organize a boycott of the Montgomery bus system. That boycott lasted 381 days and culminated in a landmark Supreme Court decision finding that the city's segregation policy was unconstitutional.

This solitary act of civil disobedience was also the spark that ignited the beginning of the end for segregation and inspired millions around the country and ultimately around the world to get involved in the fight for racial equality.

Rosa Parks' persistence and determination did not end that day in Montgomery, nor did it end with the passage of the Civil Rights Act and Voting Rights Act years later. She stayed active in the NAACP and other civil rights groups for years. From 1965 to 1988, Ms. Parks continued her public service by working for my good friend Congressman JOHN CONYERS. And in an example of her low-key demeanor, her job in Congressman CONYERS' office did not involve appearances as a figurehead or celebrity; she helped homeless folks find housing.

At the age of 74, she opened the Rosa and Raymond Parks Institute for Self-Development, which offers education and job training programs for disadvantaged youth. And even into her 80s, Rosa Parks gave lectures and attended meetings with civil rights groups.

At the age of 86, Rosa Parks' courage and fortitude was recognized by President Bill Clinton, who awarded her the Nation's highest honor for a civilian the Congressional Gold Medal.

As we honor the life of Rosa Parks, we should not limit our commemorations to lofty eulogies.

Instead, let us commit ourselves to carrying on her fight, one solitary act at a time, and ensure that her passion continues to inspire as it did a half-century ago. That, in my view, is how we can best thank her for her immense contributions to our country.

Rosa Parks once said:

As long as there is unemployment, war, crime and all things that go to the infliction of man's inhumanity to man, regardless—there is much to be done, and people need to work together.

Now that she has passed, it is up to us to make sure that her message is shared. While we will miss her cherished spirit, let's make sure that her legacy lives on in the heart of a nation.

As a personal note, I think it is fair to say were it not for that quiet moment of courage by Mrs. Parks, I would not be standing here today. I owe her a great thanks, as does the Nation. She will be sorely missed.

I yield the floor.

Mr. KENNEDY. Mr. President, with the passing of Rosa Parks, the Nation has lost a courageous woman, a true American heroine, and an icon of the civil rights movement. All of us mourn her loss. Half a century ago, Rosa Parks stood up not only for herself but for all future generations of Americans. Her quiet resoluteness in the face of segregation inspired America, transformed the civil rights movement, and roused the moral conscience of the Nation from its long slumber on civil rights. We will never forget her, and our hearts and prayers today are with her loved ones.

On December 1, 1955, Rosa Parks was a seamstress in Montgomery, AL, on her way home by bus from her work. Under the law at that time in Montgomery, and in many other places in the South, Rosa Parks, as an African American, was ordered to give up her seat for a white passenger when the bus became crowded. She refused, was arrested, and lost her job as a result. But her courageous act prompted the African American community to begin a boycott of the Montgomery bus system, which eventually broke the back of the Jim Crow rules in the system, and Montgomery buses were desegregated the following year.

Her later life continued to demonstrate her quiet moral resolve and her extraordinary commitment to doing what is right. She continued her civil rights work after moving to Detroit in 1957, working with the office of Congressman JOHN CONYERS for over 20 years, and later starting the Rosa and Raymond Parks Institute for Self Development, a nonprofit organization that motivates youths to reach their highest potential.

In 1996, Rosa Parks was honored by President Clinton with the Presidential Medal of Freedom and she received the Congressional Gold Medal in 1999.

I join my colleagues from Michigan, Senators LEVIN and STABENOW, in support of a resolution honoring the life and accomplishments of Rosa Parks. Her courage, dignity, and determination symbolize the best of America, the spirit of patriotism that challenges us whenever we fail to live up to the highest ideals of our society.

Today, as we mourn the passing of Rosa Parks, we are reminded how much has been accomplished because of

her sacrifice, and how much work America still has to do to fully live up to her ideals of equality. We are grateful for her example, and proud to carry on her mission of hope, opportunity, and equal justice for all.

As Dr. Martin Luther King, Jr. wrote about her courageous step towards equality, "[N]o one can understand the action of Mrs. Parks unless he realizes that eventually the cup of endurance runs over, and the human personality cries out, 'I can take it no longer'". Let those words in honor of Rosa Parks be our guide today.

Mr. ALLEN. Mr. President, we learned last night of the passing of one of this Nation's greatest Civil Rights heroes who will always be remembered for her steadfast leadership for equal justice. When Rosa Parks peacefully refused to give up her seat on a Montgomery public bus in 1955, her solitary act of courage for the cause of equality became a defining moment in American history.

It was Mrs. Parks' steady courage and unflinching character that helped set in motion changes that moved the hearts and minds of the American people. She clearly demonstrated the need for our country to live up to one of our founding principles, that all men are created equal. America is a much better place today because of the strength of this quiet seamstress from Tuskegee. My thoughts and prayers are with Mrs. Parks' family during these days of sadness.

I would encourage young Americans to visit the Rosa Parks Library and Museum in Montgomery to learn about her life. It is my hope that the spirit of Rosa Parks continues to live on in America and that this Nation and its leaders never forget the important lessons about decency and equality of opportunity for all. I know that her spirit will live on in my life.

Mr. KYL. Mr. President, America mourns the passing of a quiet hero, Rosa Parks, who died yesterday in Detroit at the age of 92.

On December 1, 1955, in Montgomery, AL, a seamstress named Rosa Parks refused to move from her seat near the front of a city bus so a White person could sit there. Like a shot heard round the world, her act of civil disobedience spurred the movement to gain social and political equality for Black people in this country.

It is almost hard to recover, half a century later, a sense of how much courage it took for her to do what she did. By remaining seated, she violated a local segregation law that consigned African Americans to second-class citizenship. She was arrested for disorderly conduct, and the incident galvanized the Montgomery bus boycott, propelling Martin Luther King, Jr., the boycott's leader, to a national role in the civil rights movement.

As the ancient poet once said, "A good reputation is more valuable than money." Rosa Parks' sterling reputation was what civil rights leaders

banked on in putting her in the spotlight for the cause that day—and they were never disappointed. Throughout her long life she exemplified honesty, integrity, and dignity, and articulated the all-important principle that political and social equality is every American's due.

Mrs. Parks, along with Dr. King, A. Philip Randolph, Medgar Evers, Fannie Lou Hamer, Bob Moses, and the other campaigners for civil rights during the 1940s, 1950s, and early 1960s, had faith in the legal process. They had faith, too, in the moral conscience of America. They knew time had come. Their patience, their discipline, and their understanding that these two qualities would win the White majority to their cause, were admirable. Mrs. Parks deserves a share of the credit for accomplishments in the decade following the famous bus boycott: passage of the landmark Civil Rights Act of 1964 and Voting Rights Act of 1965.

These laws made illegal racial segregation in public accommodations, in housing, in education, and in the workforce. These and other civil rights laws have not eradicated bigotry. They have not gotten us all the way to a color-blind society yet. But they were huge strides toward making America live up to its founding doctrine that "All men are created equal."

Mrs. Parks took risks to vindicate ideas that transcend race, color, and religious creed. She said: "To this day I believe we are here on the planet Earth to live, grow up and do what we can to make this world a better place for all people to enjoy freedom."

She stood for what is universal. That is why interest in one seamstress' act on a December day long ago in Alabama has never flagged. There are books, songs, and television shows about the bus boycott and its humble heroine, proving that unassuming people can do great things when they are animated by the highest ideals.

Rosa Parks, Godspeed.

Mr. CHAMBLISS. Mr. President, it is with deep sadness and heavy hearts that my wife Julianne and I learned of the passing of Mrs. Rosa Parks. Our thoughts and prayers are with the entire Parks family at this sorrowful time.

Mrs. Rosa Parks, "The Mother of the Civil Rights Movement," is an international symbol of freedom. She stood for what she believed in, and changed our Nation's history. Her act of courage inspired so many during the civil rights movement and continues to inspire people today.

Rosa Parks sat quietly on a bus in Montgomery, AL 50 years ago, and refused to give up her seat to a white passenger. Because of the nonviolent protest that Mrs. Parks displayed on December 1, 1955 our entire Nation turned its attention to the gross indecencies that were affecting the black community.

Her solitary action set into play the revolutionary 381-day bus boycott that

was organized by Reverend Martin Luther King Jr. At the time not many Americans had heard of Reverend Martin Luther King Jr. His protest and monumental following brought about the November 1956 Supreme Court Ruling that segregation on transportation is illegal, and in 1964 the Civil Rights Act, which outlawed racial discrimination in the U.S.

Rosa Parks attended Alabama State College, and upon graduation worked as a seamstress and housekeeper. She and her husband, Raymond Parks, were active in the National Association for the Advancement of Colored People, NAACP. In 1943 Mrs. Parks was elected Secretary of the Montgomery Chapter of the NAACP, and later became its youth leader. She was also involved in the Montgomery Voters League, an organization that helped black citizens become registered to vote.

Rosa Parks continued to set an example for our Nation in 1987 when she founded the Rosa and Raymond Parks Institute for Self-Development. The Institute teaches young people the history of the civil rights movement through an annual summer program called "Pathways to Freedom."

Rosa Parks was one of the most significant figures in the 20th century, and appropriately received hundreds of awards and honors, including the Medal of Freedom Award, presented by President Clinton in 1996. Mrs. Parks will be deeply missed, and her legacy will forever be remembered.

Ms. CANTWELL. Mr. President, I rise tonight to honor the life of Rosa Parks.

Let's ask an impossible question: Who was Rosa Parks?

Rosa Parks was a seamstress. She was a community organizer. She was an activist and a leader. Rosa Parks was a carpenter's daughter and a barber's wife. She was a hero of the civil rights movement. She was a trusted Congressional aide and a respected youth development expert.

And of course, Rosa Parks was the inspiring protagonist of a stirring American tale. Protest, reform, and reinvention marked the early pages of her great human story. On December 1, 1955, on a bus in Montgomery, AL, Rosa Parks, a black woman, refused to stand up and give her seat to a white man. She was arrested, tried, convicted, and fined for her act of civil disobedience in less than a week. The citywide boycott inspired by her actions would last more than a year. The full impact of those events would change a nation, last a lifetime, and reach far beyond.

Rosa Parks has played a guiding role not only in the lives of countless individuals but, over the last half-century, in the shape of our ever-evolving Nation. Throughout it all, she has been a great American teacher.

From Rosa Parks, we learned what it takes to be courageous in the face of oppression and hate. From Rosa Parks, we learned that sometimes to be strong is to say "No."

From Rosa Parks we learned that freedom without equality is no freedom

at all. And from Rosa Parks we learned that fighting the bonds of orthodoxy and confronting the sources of ignorances is a noble and urgent cause.

Rosa Parks' legacy reminds us that a lone person can effect great change; many people working together with united purpose can achieve even more.

Rev. Martin Luther King Jr., the young Montgomery preacher who helped to transform Rosa Parks' act of resistance into a powerful movement, would later say the "arc of the moral universe is long, but it bends towards justice."

If we are to honor the legacy of Rosa Parks, we must never rest in our pursuit of that justice.

Mr. NELSON of Florida. Mr. President, I want to express my thoughts on the passing of a true civil rights pioneer. Rosa Parks' actions almost 50 years ago in Montgomery, AL, ignited a movement that dramatically changed the face of America and the world.

Even before her refusal to give up her seat on December 1, 1955, Mrs. Parks was already actively involved in the civil rights movement as the secretary of the local chapter of the NAACP. But her actions that day laid the groundwork for the civil rights movement in the years to follow. As a result of her actions, a local public bus boycott ensued that garnered national attention and resulted in a U.S. Supreme Court ruling prohibiting bus segregation, mass demonstrations throughout the South ensued, and Martin Luther King, Jr. becoming a national civil rights leader.

Mrs. Parks' refusal to give up her seat on December 1, 1955, was a simple but dangerous action that highlighted the inequalities faced by millions of Americans living under segregation. Former U.S. poet laureate, Rita Dove, wrote, "How she sat there, the time right inside a place so wrong it was ready." America was ready for change and that change continues today.

As the world grieves, let us remember her courage and work to ensure that her legacy continues.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 287) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 287

Whereas Rosa Parks was born on February 4, 1913, as Rosa Louise McCauley, to James and Leona McCauley in Tuskegee, Alabama;

Whereas her moral clarity and quiet dignity shaped and inspired the Civil Rights Movement in the United States over the last half-century;

Whereas Rosa Parks was educated in Pine Level, Alabama, until the age of 11, when she enrolled in the Montgomery Industrial School for Girls and then went on to attend

the Alabama State Teachers College High School;

Whereas on December 18, 1932, Rosa McCauley married Raymond Parks and settled in Montgomery, Alabama;

Whereas, together, Raymond and Rosa Parks worked in the Montgomery, Alabama branch of the National Association for the Advancement of Colored People (NAACP), where Raymond Parks served as an active member and Rosa Parks served as a secretary and youth leader;

Whereas on December 1, 1955, Rosa Parks was arrested for refusing to give up her seat in the "colored" section of the bus to a white man on the orders of the bus driver because the "white" section was full;

Whereas the arrest of Rosa Parks led African Americans and others to boycott the Montgomery city bus line until the buses in Montgomery were desegregated;

Whereas the 381-day Montgomery bus boycott encouraged other courageous people across the United States to organize in protest and demand equal rights for all;

Whereas most historians date the beginning of the modern-day Civil Rights Movement in the United States to December 1, 1955;

Whereas the fearless acts of civil disobedience displayed by Rosa Parks and others resulted in a legal action challenging Montgomery's segregated public transportation system, which subsequently led to the United States Supreme Court, on November 13, 1956, affirming a district court decision that held that Montgomery segregation codes deny and deprive African Americans of the equal protection of the laws (352 U.S. 903);

Whereas in 1957, Rosa Parks moved to Detroit, Michigan;

Whereas in 1965, Representative John Conyers hired Rosa Parks as a member of his staff, where she worked in various administrative jobs for 23 years and retired in 1988 at age 75;

Whereas Rosa Parks continued her civil rights work by starting the Rosa and Raymond Parks Institute for Self Development in 1987, a nonprofit organization that motivates young people to reach their highest potential;

Whereas the Rosa and Raymond Parks Institute for Self Development offers educational programs for young people, including two signature programs: first, Pathways to Freedom, a 21-day program that introduces students to the Underground Railroad and the civil rights movement with a freedom ride across the United States and Canada, tracing the underground railroad into civil rights, and second, Learning Centers and Senior Citizens, a program that partners young people with senior citizens where the young help the senior citizens develop their computer skills and senior citizens mentor the young;

Whereas Rosa Parks has been commended for her work in the realm of civil rights with such recognitions as the NAACP's Spingarn Medal, the Martin Luther King, Jr., Non-violent Peace Prize, the Presidential medal of Freedom, and the Congressional Gold Medal;

Whereas Time magazine named Rosa Parks one of the "100 most influential people of the 20th century", The Henry Ford Museum in Michigan bought and exhibited the bus on which she was arrested, and The Rosa Parks Library and Museum opened in Montgomery in 2000;

Whereas in 2005, the year marking the 50th anniversary of Rosa Parks' refusal to give up her seat on the bus, we recognize the courage, dignity, and determination displayed by

Rosa Parks as she confronted injustice and inequality; and

Whereas in 1988 Rosa Parks said: "I am leaving this legacy to all of you . . . to bring peace, justice, equality, love and a fulfillment of what our lives should be. Without vision, the people will perish, and without courage 'and inspiration, dreams will die—the dream of freedom and peace': Now, therefore, be it

Resolved by the Senate That the Senate honors the life and accomplishments of Rosa Parks and expresses its condolences on her passing.

ANTITRUST CRIMINAL INVESTIGATIVE IMPROVEMENTS ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 250, S. 443.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 443) to improve the investigation of criminal antitrust offenses.

There being no objection, the Senate proceeded to consider the bill.

Mr. KOHL. Mr. President, I rise in support of the Antitrust Investigative Improvements Act of 2005, a bill I am cosponsoring with Senators DEWINE and LEAHY. This important measure will give the antitrust criminal enforcers at the Department of Justice a vital tool to investigate, detect, and prevent antitrust conspiracies. It will allow the Justice Department, upon a showing of probable cause to a Federal judge, authority to obtain a wiretap order for a limited time period to monitor communications between those suspected of engaging in illegal antitrust conspiracies.

The current Federal criminal code lists over 150 predicate offenses for which the Justice Department may obtain a wiretap during the course of a criminal investigation. These offenses include basic white collar crimes such as mail fraud, wire fraud, and bank fraud. However, under current law, if the Government is investigating a criminal antitrust conspiracy, such as a scheme to fix prices to consumers, the Government cannot obtain a wiretap of the suspected conspirators. This inability to obtain wiretaps unquestionably severely handicaps the detection and prevention of such conspiracies. Only with the consent of a member of the conspiracy who has already agreed to cooperate with the Government may the Government surreptitiously record the meetings of the conspirators.

There is no logical basis to exclude criminal antitrust violations from the list of predicate offenses for a wiretap. A criminal antitrust offense, such as price fixing, is every bit as serious—and causes every bit as much financial loss to its victims—as other white collar crimes, such as mail fraud or wire fraud. A price-fixing conspiracy raises prices to consumers, stealing hard

earned dollars from citizens as surely as does a salesman promoting a bogus investment from a "boiler room" or, indeed, a thief with a gun. Moreover, by its secret nature as an agreement among competitors, such a conspiracy is likely harder to detect than a fraudulent offering over the phone or through the mail. A properly issued wiretap, therefore, is even more necessary to detect criminal antitrust conspiracies than other white collar offenses.

Detecting, preventing, and punishing criminal antitrust offenses are one of the principal missions of the Justice Department's Antitrust Division. Such offenses are punished severely with corporations facing fines of up to \$100 million and individuals subject to jail terms of up to 10 years for each offense. Indeed, last year we passed legislation raising criminal penalties to these new levels. Yet, despite the damage these conspiracies do to the economy and individual consumers, our law enforcement agencies lack the one vital tool essential to uncover these secret conspiracies—the ability to obtain a wiretap to monitor communications between the suspected conspirators upon a showing of probable cause. This legislation will remedy this defect by granting to our law enforcement officials the necessary means to protect consumers and end illegal antitrust conspiracies.

I urge my colleagues to join with me in supporting this legislation.

Mr. LEAHY. Mr. President, earlier this year I was pleased to join the chairman and ranking member of the Judiciary Committee's Subcommittee on Antitrust, Competition Policy and Consumer Rights, Senators DEWINE and KOHL, on the introduction of the "Antitrust Criminal Investigative Improvements Act of 2005, ACIIA. Today, I am even more pleased to see the Senate pass this bill. This is important legislation, and I hope that it will receive the speedy vote in the House of Representatives that it deserves. Once the President signs it into law, the Department of Justice will finally have another vital tool to enforce antitrust laws—wiretap authority to investigate and prosecute criminal antitrust violations.

America's antitrust laws play a critical role in protecting consumers and ensuring a fair and competitive marketplace for business. Congress's first antitrust law, the Sherman Antitrust Law, was enacted in 1890 to prohibit abusive monopolies and restraints of trade. Since that time, enforcement of the antitrust laws has benefited consumers through lower prices, greater variety, and higher quality products and services. But antitrust criminal offenses have been somewhat anomalous in the law, for they have not qualified for judicially approved wiretaps. The ACIIA will add criminal price fixing and bid rigging to the many crimes that are already "predicate offenses" for wiretap purposes. There are over 150

offenses that currently qualify for judicial approved wiretaps. These "predicate offenses" under Title III of the Omnibus Crime Control and Safe Streets Act, include crimes of lesser impact and significance than criminal antitrust violations. The ACIIA will ensure that the Department of Justice has the tools commensurate with the seriousness of the violations.

Under current law, the Department of Justice must often rely on the FBI or other investigative agencies to obtain evidence. While the Justice Department may engage in court-authorized searches of business records, it may only monitor phone calls of informing parties or the conversations of consenting parties. In light of the seriousness of economic harms caused by violations of the Sherman Antitrust Act, the inability of the Department of Justice to obtain wiretaps when investigating criminal antitrust violations makes little sense. The evidence that can be acquired through wiretaps is precisely the type of evidence that is essential for the successful prosecution and prevention of serious antitrust violations. This bill equips the Department of Justice investigators and prosecutors the opportunity to zealously enforce the criminal antitrust laws of the United States.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 443) was read the third time and passed, as follows:

S. 443

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Antitrust Criminal Investigative Improvements Act of 2005".

SEC. 2. AMENDMENT OF PREDICATE CRIMES FOR AUTHORIZATION FOR INTERCEPTION OF WIRE, ORAL, AND ELECTRONIC COMMUNICATIONS.

Section 2516(1) of title 18, United State Code, is amended—

(1) in subparagraph (q), by striking "or" after the semicolon;

(2) by redesignating subparagraph (r) as subparagraph (s); and

(3) by adding after subparagraph (q) the following:

"(r) any criminal violation of section 1 (relating to illegal restraints of trade or commerce), 2 (relating to illegal monopolizing of trade or commerce), or 3 (relating to illegal restraints of trade or commerce in territories or the District of Columbia) of the Sherman Act (15 U.S.C. 1, 2, 3); or"

ORDERS FOR WEDNESDAY, OCTOBER 26, 2005

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, October 26. I further ask that following

the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for morning business for up to 30 minutes, with the first 15 minutes under the control of the minority, and the final 15 minutes under the control of the majority.

I further ask that the Senate then resume consideration of H.R. 3010, the Labor-HHS appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will resume consideration of that Labor-HHS appropriations bill. Just a few moments ago I filed cloture on that bill. Senators who are serious about offering germane amendments should work with the bill managers to schedule floor consideration just as quickly as possible. We are on track, the track that we set out last week, to finish the bill this week. I encourage Senators to vote for cloture in order to speed passage of this, the very last, the final appropriations bill for this year.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Wednesday, October 26, 2005, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 25, 2005:

THE JUDICIARY

AIDA M. DELGADO-COLON, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO, VICE SALVADOR E. CASELLAS, RETIRED.

IN THE COAST GUARD

To be rear admiral

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

REAR ADM. (LH) JODY A. BRECKENRIDGE, 0000
REAR ADM. (LH) ARTHUR E. BROOKS, 0000
REAR ADM. (LH) JOHN E. CROWLEY, 0000
REAR ADM. (LH) RICHARD R. HOUCK, 0000
REAR ADM. (LH) RICHARD R. KELLY, 0000
REAR ADM. (LH) DAVID P. PEKOSKE, 0000
REAR ADM. (LH) FRED M. ROSA, 0000
REAR ADM. (LH) TIMOTHY S. SULLIVAN, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. FRANK THORP IV, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ROBINETTE J. AMAKER, 0000
GEORGE A. DILLY, 0000
BRENDA K. ELLISON, 0000
ANN GREDIAGIN, 0000
JOSEPH H. MOORE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

TERRY K. BESCH, 0000
PERRY R. CHUMLEY, 0000
CHERYL D. DICARLO, 0000
CAROL L. EISENHAEUER, 0000
GEORGE C. RENISON, 0000
JOHN R. TABER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C. SECTIONS 624, 531, AND 3064:

To be colonel

KIMBERLY K. ARMSTRONG, 0000
MICHAEL K. BAYLES, 0000
CHERYL E. CARROLL, 0000
RHONDA L. EARLS, 0000
LORRAINE A. FRITZ, 0000
KATHRYN M. GAYLORD, 0000
STEVEN F. * GERTONSON, 0000
BARBARA A. GILBERT, 0000
STEVEN W. GRIMES, 0000
ELIZABETH A. JOHNSON, 0000
JIMMIE O. KEENAN, 0000
TIMOTHY A. NEWCOMER, 0000
DAVID D. PETERSON, 0000
KATHLEEN R. RYAN, 0000
ANN M. SAMMARTINO, 0000
KELLY A. WOLGAST, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

RANDALL G. ANDERSON, 0000
DONALD F. ARCHIBALD, 0000
STEVEN G. BOLINT, 0000
DAVID P. BUDINGER, 0000
KYLE D. CAMPBELL, 0000
BRIAN T. CANFIELD, 0000
CHARLES E. CANNON, 0000
SCOTT F. CASS, 0000
LISA P. CHISHOLM, 0000
JOHN M. COLLINS, 0000
JOHN P. COLLINS, 0000
DANIEL J. FISHER, 0000
ALEXANDER GARDNER III, 0000
DAVID G. GILBERTSON, 0000
NEIL G. GLENESK, 0000
MAX GROGL, 0000
BRYANT E. HARP, JR., 0000
SALLY C. HARVEY, 0000
BRUCE E. HASELDEN, 0000
CLAUDE HINES, JR., 0000
MARSHA A. LANGLOIS, 0000
WILLIAM J. LAYDEN, 0000
POLLYANNE A. MARCIESKI, 0000
THIRSA MARTINEZ, 0000
BRUCE W. MCVEIGH, 0000
MARK A. MELANSON, 0000
JOHN R. MERCIER, 0000
TALFORD V. MINDINGALL, 0000
RAFAEL C. MONTAGNO, 0000
JOSEPH A. PECKO, 0000
JEROME PENNER III, 0000
ANGELA PEREIRA, 0000
MICHAEL P. RYAN, 0000
HARRY F. SLIFE, JR., 0000
EARLE SMITH II, 0000
JOHN R. STEWART, 0000
ROBERT D. TENHET, 0000
JOHN H. TRAKOWSKI, JR., 0000